JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON SATURDAY THE THIRTIETH DAY OF DECEMBER, IN THE YEAR OF OUR LORD, 1848, AND OF THE COMMONWEALTH, THE FIFTY SEVENTH.

FRANKFORT, KY.
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the town of Frankfort, on Saturday, the 30th day of December, in the year of our Lord, one thousand eight hundred and forty eight, and in the fifty seventh year of the Commonwealth —on which day (being that designated by law,) the following members of the House of Representatives appeared, viz:

From the county of *Adair*—Chapman Dohoney.

From the county of *Anderson*—Edward Sherwood.

From the county of *Barren*—William C. Whitsett and Littleberry P. Crenshaw.

From the county of *Boone*—William B. Murphy.

From the county of *Bourbon*—Douglass P. Lewis and William W. Alexander.

From the county of *Boyle*—Addison A. Anderson.

From the county of *Bracken*—William W. Best.

From the counties of *Breathitt* and *Morgan*—David N. Cottle.

From the county of *Breckenridge*—Joseph A. McClarty.

From the county of *Bullitt*—Frederick Johnson.

From the county of *Caldwell*—Jesse Stephens.

From the counties of *Calloway* and *Marshall*—Francis U. Dodds.

From the county of *Campbell*—William Reiley.

From the counties of *Carroll* and *Gallatin*—Thomas L. Butler.
From the counties of *Carter* and *Lawrence*—Ulysses Garred.
From the county of *Casey*—Hiram Thomas.
From the county of *Christian*—John McLarning.
From the county of *Clarke*—George Smith.
From the counties of *Clay*, *Letcher* and *Perry*—Joseph Eversole.
From the counties of *Cumberland* and *Clinton*—Joseph S. Bledsoe.
From the county of *Crittenden*—William Wallace.
From the county of *Daviess*—John H. McFarland.
From the county of *Fayette*—George Robertson and Richard J. Spurr.
From the county of *Fleming*—William W. Blair.
From the counties of *Floyd*, *Pike* and *Johnson*—John B. Harris.
From the county of *Franklin*—John A. Holton.
From the county of *Garrard*—Lafayette Dunlap.
From the county of *Grant*—Squire Lucas.
From the county of *Graves*—William M. Cargill.
From the county of *Greenup*—James W. Davis.
From the county of *Hardin*—William D. Vertress and Thomas M. Swan.
From rhe county of *Harrison*—Hugh Newell and John Shawhan.
From the county of *Henderson*—Thomas Towles, Jr.
From the county of *Henry*—Elbridge G. Bassett.
From the counties of *Hickman* and *Fulton*—W. B. McConnell.
From the county of *Hopkins*—Newton Headley.
From the county of *Jefferson*—Robert N. Miller and Joshua F. Speed.
From the county of *Jessamine*—John M. Reynolds.
From the county of *Kenton*—Herman J. Groesbeck.
From the counties of *Knox* and *Harlan*—William Word.
From the county of *Larue*—Jesse H. Rodman.
From the counties of *Laurel* and *Rockcastle*—William Jackson.
From the county of *Lewis*—Nathaniel R. Garland.
From the county of *Lincoln*—Thomas W. Napier.
From the county of *Livingston*—William G. Gordon.
From the county of *Logan*—Albert G. Rhea and Presley U. Ewing.
From the city of *Louisville*—Hamilton Pope, Gwyn Page and Walker Morris.
From the county of *Madison*—Cyrus Turner and Waller Chenault.
From the county of *Mason*—William Bickley and John N. Jefferson.
From the county of *Marion*—Joseph M. Boarman.
From the county of *Meade*—James Stewart.
From the county of *Mercer*—William Daviess.
From the county of *Monroe*—John S. Barlow.
From the county of *Montgomery*—Madison Stewart.

From the county of *Nelson*—B. Rowan Hardin and George W. Hite.
From the county of *Nicholas*—James H. Holladay.
From the county of *Oldham*—James F. Wilson.
From the county of *Owen*—John W. Leonard.
From the counties of *Ohio* and *Hancock*—Elisha M. Ford.
From the county of *Pendleton*—John E. Records.
From the county of *Pulaski*—Silas D. Woods.
From the county of *Scott*—William P. Duvall.
From the county of *Simpson*—William H. Eubank.
From the county of *Shelby*—William L. Jones and Josiah H. Magruder.
From the county of *Spencer*—Mark E. Huston.
Erom the county of *Taylor*—Elias L. Barbee.
From the county of *Trigg*—Allen T. Noe.
From the county of *Trimble*—Benjamin H. Logan.
From the county of *Union*—Willis G. Hughes.
From the county of *Warren*—Warner L. Underwood.
From the county of *Washington*—Thomas S. Grundy.
From the county of *Wayne*—Martin Beaty.
From the county of *Whitley*—Solomon Stevens.

Who, constituting a quorum, and having severally taken the oaths prescribed by the Constitution of the United States and Constitution and Laws of this State, repaired to their seats.

Mr. Huston nominated Mr. George Robertson as a suitable person to fill the office of Speaker; Mr. Gordon nominated Mr. Willis G. Hughes, and Mr. Daviess nominated Mr. Herman J. Groesbeck; and the vote being taken, it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Smith,
Best,	Holton,	Speed,
Bickley,	Huston,	Spurr,
Blair,	Jefferson,	Stevens, S.
Bledsoe,	Jones,	Stewart, M.
Chenault,	Lewis, D. P.	Thomas,
Dunlap,	Magruder,	Underwood,
Eubank,	Miller,	Whitsett,
Eversole,	Morris,	Word—29.
Ewing,	Reynolds,	

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rhea,
Anderson,	McClarty,	Rodman,
Boarman,	McFarland,	Stewart, J.
Chrenshaw,	McLarning,	Swan,
Ford,	Murphy,	Towles,

Gordon,	Napier,	Turner,
Hardin,	Page,	Vertress,
Hite,	Pope,	Woods—24.

Those who voted for Mr. Groesbeck, were—

Messrs. Barbee,	Duvall,	McConnell,
Barlow,	Garland,	Newell,
Bassett,	Grundy,	Noe,
Butler,	Harris,	Records,
Cargill,	Headley,	Reiley,
Cottle,	Jackson,	Shawhan,
Daviess, W.	Johnson,	Sherwood,
Davis, J. W.	Leonard,	Stevens, J.
Dodds,	Logan,	Wallace,
Dohoney,	Lucas,	Wilson—30.

No one on nomination having received a majority of all the votes given the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Smith,
Best,	Holton,	Speed,
Bickley,	Huston,	Spurr,
Blair,	Jefferson,	Stevens, S.
Bledsoe,	Jones,	Stewart, M.
Chenault,	Lewis, D. P.	Thomas,
Dunlap,	Magruder,	Underwood,
Eubank,	Miller,	Whitsett,
Eversole,	Morris,	Word—29.
Ewing,	Reynolds,	

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rhea,
Anderson,	McClarty,	Rodman,
Boarman,	McFarland,	Stewart, J.
Crenshaw,	McLarning,	Swan,
Ford,	Murphy,	Towles,
Gordon,	Napier,	Turner,
Hardin,	Page,	Vertress,
Hite,	Pope,	Woods—24.

Those who voted for Mr. Groesbeck, were—

Messrs. Barbee,	Duvall,	McConnell,
Barlow,	Garland,	Newell,
Bassett,	Grundy,	Noe,
Butler,	Harris,	Records,
Cargill,	Headley,	Reiley,
Cottle,	Jackson,	Shawhan,
Daviess, W.	Johnson,	Sherwood,
Davis, J. W.	Leonard,	Stevens, J.
Dodds,	Logan,	Wallace,
Dohoney,	Lucas,	Wilson—30.

No one on nomination having received a majority of all the votes given ,the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Reynolds,
Best,	Holton,	Smith,
Bickley,	Huston,	Speed,
Blair,	Jefferson,	Spurr,
Bledsoe,	Jones,	Stevens, S.
Chenault,	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Thomas,
Eubank,	McLarning,	Underwood,
Eversole,	Miller,	Whitsett,
Ewing,	Morris,	Word—30.

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rodman,
Anderson,	McClarty,	Stewart, J.
Boarman,	McFarland,	Swan,
Crenshaw,	Murphy,	Towles,
Ford,	Napier,	Turner,
Gordon,	Page,	Vertress,
Hardin,	Pope,	Woods—23.
Hite,	Rhea,	

Those who voted for Mr. Groesbeck, were—

Messrs. Barbee,	Duvall,	McConnel,
Barlow,	Garland,	Newell,
Bassett,	Grundy,	Noe,
Butler,	Harris,	Records,
Cargill,	Headley,	Reiley,
Cottle,	Jackson,	Shawhan,
Daviess, W.	Johnson,	Sherwood,
Davis, J. W.	Leonard,	Stevens, J.
Dodds,	Logan,	Wallace,
Dohoney,	Lucas,	Wilson—30.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Reynolds,
Best,	Holton,	Smith,
Bickley,	Huston,	Speed,
Blair,	Jefferson,	Spurr,
Bledsoe,	Jones,	Stevens, S.
Chenault,	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Thomas,
Eubank,	McFarland,	Underwood,
Eversole,	McLarning,	Whitsett,
Ewing,	Miller,	Word—32.
Ford,	Morris,	

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rodman,
Anderson,	McClarty,	Stewart, J.
Boarman,	Murphy,	Swan,
Crenshaw,	Napier,	Towles,
Gordon,	Page,	Turner,
Hardin,	Pope,	Vertress,
Hite,	Rhea,	Woods—21.

Those who voted for Mr. Groesbeck, were—

Messrs. Barbee,	Duvall,	McConnell,
Barlow,	Garland,	Newell,
Bassett,	Grundy,	Noe,
Butler,	Harris,	Records,
Cargill,	Headley,	Reiley,
Cottle,	Jackson,	Shawhan,
Daviess, W.	Johnson,	Sherwood,
Davis, J. W.	Leonard,	Stevens, J.
Dodds,	Logan,	Wallace,
Dohoney,	Lucas,	Wilson—30.

Mr. Daviess then withdrew the nomination of Mr. Groesbeck.

Mr. Groesbeck nominated Mr. John S. Barlow as a suitable person to fill the office of Speaker.

And the vote being taken, it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Reynolds,
Best,	Holton,	Smith,
Bickley,	Huston,	Speed,
Blair,	Jefferson,	Spurr,
Bledsoe,	Jones,	Stevens, S.
Chenault,	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Thomas,
Eubank,	McFarland,	Underwood,
Eversole,	Miller,	Whitsett,
Ewing,	Morris,	Word—31.
Ford,		

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rodman,
Anderson,	McClarty,	Stewart, J.
Boarman,	Murphy,	Swan,
Crenshaw,	Napier,	Towles,
Gordon,	Page,	Turner,
Hardin,	Pope,	Vertress,
Hite,	Rhea,	Woods—21.

Those who voted for Mr. Barlow, were—

Messrs. Barbee,	Garland,	McConnel,
Bassett,	Groesbeck,	Newell,
Butler,	Grundy,	Noe,

Cargill,	Harris,	Records,
Cottle,	Headley,	Reiley,
Daviess, W.	Jackson,	Shawhan,
Davis, J. W.	Johnson,	Sherwood,
Dodds,	Leonard,	Stevens, J.
Dohoney,	Logan,	Wallace,
Duvall,	Lucas,	Wilson—30.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Beaty,	Garred,	Reynolds,
Best,	Holton,	Smith,
Bickley,	Huston,	Speed,
Blair,	Jefferson,	Spurr,
Bledsoe,	Jones,	Stevens, S.
Chenault,	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Thomas,
Eubank,	McFarland,	Underwood,
Eversole,	Miller,	Whitsett,
Ewing,	Morris,	Word—31.
Ford,		

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Holladay,	Rodman,
Anderson,	McLarning,	Stuart, J.
Boarman,	Murphy,	Swan,
Crenshaw,	Napier,	Towles,
Gordan,	Page,	Turner,
Hardin,	Pope,	Vertress,
Hite,	Rhea,	Woods—21.

Those who voted for Mr. Barlow, were—

Messrs. Barbee,	Garland,	McConnell,
Bassett,	Groesbeck,	Newell,
Butler,	Grundy,	Noe,
Cargill,	Harris,	Records,
Cottle,	Headley,	Reiley,
Daviess, W.	Jackson,	Shawhan,
Davis, J. W.	Johnson,	Sherwood,
Dodds,	Leonard,	Stevens, J.
Dohoney,	Logan,	Wallace,
Duvall,	Lucas,	Wilson—30.

And then the House adjourned.

MONDAY, JANUARY 1, 1849.

Mr. Jonathan Davis, the member returned to serve in this House from the county of Allen; Mr. Nelson Harreld, the member returned to serve in this House from the counties of Butler and Edmonson; Mr. Daniel H. Harrison, the member returned to serve in this House from the county of Christian; Mr. Sidney M. Barnes, the member returned to serve in this House from the counties of Estill and Owsley; Mr. William L. Conklin, the member returned to serve in this House from the county of Grayson; Mr. Fielding Vaughan, the member returned to serve in this House from the county of Green; Mr. William B. Thompson, the member returned to serve in this House from the county of Hart; Mr. John Vickers, the member returned to serve in this House from the county of Muhlenburg; Mr. Henry G. Bibb, the member returned to serve in this House from the county of Todd; Mr. Jesse Hayden, the member returned to serve in this House from the county of Woodford, and Mr. Thomas F. Terrill, the member returned to serve in this House from the counties of Ballard and McCracken, appeared, and having produced certificates of their election, and having taken the oaths prescribed by the Constitution of the United States and the Constitution and Laws of this State, took their seats.

The vote was then taken between those remaining on nomination on Saturday, and it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Garred,	Smith,
Beaty,	Hayden,	Speed,
Best,	Holton,	Spurr,
Bickley,	Huston,	Stevens, S.
Blair,	Jefferson,	Stewart, M.
Bledsoe,	Jones,	Terrill,
Chenault,	Lewis, D. P.	Thomas,
Dunlap,	Magruder,	Underwood,
Eubank,	Miller,	Whitsett,
Eversole,	Morris,	Word—32.
Ewing,	Reynolds,	

Those who voted for Mr. Hughes, were—

Messrs. Alexander,	Harreld,	Pope,
Anderson,	Harrison,	Rhea,
Bibb,	Hite,	Rodman,
Boarman,	Holladay,	Stuart, J.
Conklin,	McClarty,	Swan,
Crenshaw,	McFarland,	Turner,

Ford,	Murphy,	Vertress,
Gordon,	Napier,	Woods—26.
Hardin,	Page,	

Those who voted for Mr. Barlow, were—

Messrs. Barbee,	Garland,	Noe,
Bassett,	Grundy,	Records,
Butler,	Harris,	Reiley,
Cargill,	Headley,	Shawhan,
Cottle,	Jackson,	Sherwood,
Daviess, W.	Johnson,	Stevens, J.
Davis, J. W.	Leonard,	Thompson,
Davis, J.	Logan,	Vaughan,
Dodds,	Lucas,	Vickers,
Dohoney,	McConnell,	Wallace,
Duvall,	Newell,	Wilson—33.

No one having received a majority of all the votes given, Mr. Gordon then withdrew the nomination of Mr. Willis G. Hughes.

Mr. Gordon then nominated Mr. Hamilton Pope as a suitable person to fill the office of Speaker.

Mr. Newell withdrew the nomination of Mr. Barlow.

Mr. Whitsett nominated Mr. Warner L. Underwood as a suitable person to fill the office of Speaker, and Mr. Johnson nominated Mr. William Daviess, and the vote being taken, it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Reynolds,
Beaty,	Hite,	Rodman,
Best,	Holton,	Smith,
Bickley,	Huston,	Spurr,
Blair,	Jackson,	Stevens, S.
Bledsoe,	Jefferson,	Stewart, M.
Chenault,	Jones,	Thomas,
Dunlap,	Lewis, D. P.	Woods,
Eversole,	Magruder,	Word—28.
Garred,		

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Hughes,	Speed,
Anderson,	McClarty,	Stuart, J.
Boarman,	McFarland,	Swan,
Ford,	Miller,	Terrill,
Gordon,	Morris,	Turner,
Hardin,	Murphy,	Vertress—20.
Holladay,	Page,	

Those who voted for Mr. Underwood, were—

Messrs. Bibb,	Eubank,	McLarning,
Conklin,	Ewing,	Napier,
Chrenshaw,	Harreld,	Rhea,
Davis, J.	Harrison,	Whitsett—12.

Those who voted for Mr. W. Daviess, were—

Messrs. Barbee, Barlow, Bassett, Butler, Cargill, Cottle, Davis, J. W. Dodds, Dohoney, Duvall, Garland, Grundy, Harris, Headley, Johnson, Leonard, Logan, Lucas, McConnell, Newell, Noe, Records, Reiley, Shawhan, Sherwood, Stevens, J. Thompson, Vaughan, Vickers, Wallace, Wilson—31.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes, Beaty, Best, Bickley, Blair, Bledsoe, Chenault, Dunlap, Eversole, Garred, Hayden, Hite, Holton, Huston, Jackson, Jefferson, Jones, Lewis, D. P. Magruder, Reynolds, Rodman, Smith, Spurr, Stevens, S. Stewart, M. Thomas, Woods, Word—28.

Those who voted for Mr. Pope, were—

Messrs. Alexander, Anderson, Boarman, Ford, Gordon, Holladay, Hughes, McClarty, McFarland, Miller, Morris, Murphy, Page, Speed, Stuart, J. Swan, Terrill—17.

Those who voted for Mr. Underwood, were—

Messrs. Bibb, Conklin, Crenshaw, Davis, J. Eubank, Ewing, Hardin, Harreld, Harrison, McLarning, Napier, Rhea, Turner, Vertress, Whitsett—15.

Those who voted for Mr. W. Daviess, were—

Messrs. Barbee, Barlow, Bassett, Butler, Cargill, Cottle, Grundy, Harris, Headley, Johnson, Leonard, Logan, Records, Reiley, Shawhan, Sherwood, Stevens, J. Thompson,

Davis, J. W.	Lucas,	Vaughan,
Dodds,	McConnell,	Vickers,
Dohoney,	Newell,	Wallace,
Duvall,	Noe,	Wilson—31.
Garland,		

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Reynolds,
Beaty,	Hite,	Rodman,
Best,	Holton,	Smith,
Bickley,	Huston,	Spurr,
Blair,	Jackson,	Stevens, S.
Bledsoe,	Jefferson,	Stewart, M.
Chenault,	Jones,	Thomas,
Dunlap,	Lewis, D. P.	Woods,
Eversole,	Magruder,	Word—28.
Garred,		

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Hughes,	Speed,
Anderson,	McClarty,	Stuart, J.
Boarman,	McFarland,	Swan,
Ford,	Miller,	Terrill,
Gordon,	Morris,	Turner,
Hardin,	Murphy,	Vertress—20.
Holladay,	Page,	

Those who voted for Mr. Underwood, were—

Messrs. Bibb,	Ewing,	Napier,
Conklin,	Harreld,	Rhea,
Crenshaw,	Harrison,	Whitsett—11.
Eubank,	McLarning,	

Those who voted for Mr. W. Daviess, were—

Messrs. Barbee,	Garland,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Harris,	Shawhan,
Butler,	Headley,	Sherwood,
Cargill,	Johnson,	Stevens, J.
Cottle,	Leonard,	Thompson,
Davis, J. W.	Logan,	Vaughan,
Davis, J.	Lucas,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—32.
Duvall,	Noe,	

Mr. Johnson then withdrew the nomination of Mr. W. Daviess.

Mr. Butler nominated Mr. James W. Davis as a suitable person to fill the office of Speaker.

And the vote being taken, it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Reynolds,
Beaty,	Hite,	Rodman,
Best,	Holton,	Smith,
Bickley,	Huston,	Spurr,
Blair,	Jackson,	Stevens, S.
Bledsoe,	Jefferson,	Stuart, M.
Chenault,	Jones,	Thomas,
Dunlap,	Lewis, D. P.	Woods,
Eversole,	Magruder,	Word—29.
Garred,	McLarning,	

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Hughes,	Speed,
Anderson,	McFarland,	Stuart, J.
Boarman,	Miller,	Swan,
Ford,	Morris,	Terrill,
Gordon,	Murphy,	Turner,
Hardin,	Page,	Vertress—19.
Holladay,		

Those who voted for Mr. Underwood, were—

Messrs. Bibb,	Ewing,	Napier,
Conklin,	Harreld,	Rhea,
Crenshaw,	Harrison,	Whitsett—10.
Eubank,		

Those who voted for Mr. J. W. Davis, were—

Messrs. Barbee,	Garland,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Harris,	Shawhan,
Butler,	Headley,	Sherwood,
Cargill,	Johnson,	Stevens, J.
Cottle,	Leonard,	Thompson,
Daviess, W.	Logan,	Vaughan,
Davis, J.	Lucas,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—32.
Duvall,	Noe,	

Mr. Whitsett withdrew the nomination of Mr. Underwood.

And the vote being taken between those remaining on nomination, it stood thus:

Those who voted for Mr. Robinson, were—

Messrs. Barnes,	Harrison,	Napier,
Beaty,	Hayden,	Reynolds,
Best,	Hite,	Rhea,
Bickley,	Holton,	Rodman,

Blair,	Huston,	Smith,
Bledsoe,	Jackson,	Spurr,
Chenault,	Jefferson,	Stevens, S.
Dunlap,	Jones,	Stewart, M.
Eubank,	Lewis, D. P.	Thomas,
Eversole,	Magruder,	Woods,
Ewing,	McLarning,	Word—34.
Garred,		

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Harreld,	Speed,
Anderson,	Holladay,	Stuart, J.
Bibb,	Hughes,	Swan,
Boarman,	McClarty,	Terrill,
Conklin,	McFarland,	Turner,
Crenshaw,	Miller,	Underwood,
Ford,	Morris,	Vertress,
Gordon,	Murphy,	Whitsett—26.
Hardin,	Page,	

Those who voted for Mr. J. W. Davis, were—

Messrs. Barbee,	Garland,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Harris,	Shawhan,
Butler,	Headley,	Sherwood,
Cargill,	Johnson,	Stevens, J.
Cottle,	Leonard,	Thompson,
Daviess, W.	Logan,	Vaughan,
Davis, J.	Lucas,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—32.
Duvall,	Noe,	

Mr. Butler then withdrew the nomination of Mr. J. W. Davis.

Mr. Barlow nominated Mr. Allen T. Noe as a suitable person to fill the office of Speaker.

And the vote being taken it stood thus :

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Napier,
Beaty,	Hite,	Reynolds,
Best,	Holton,	Rodman,
Blair,	Huston,	Smith,
Bledsoe,	Jackson,	Spurr,
Chenault,	Jefferson,	Stevens, S.
Dunlap,	Jones,	Stewart, M.
Eubank,	Lewis, D. P.	Thomas,
Eversole,	Magruder,	Woods,
Garred,	McLarning,	Word—30.

Those who voted for Mr. Pope, were—

Alexander,	Hardin,	Page,
Anderson,	Harreld,	Rhea,
Bibb,	Harrison,	Speed,
Boarman,	Holladay,	Stuart, J.
Conklin,	Hughes,	Swan,
Crenshaw,	McClarty,	Terrill,
Davis, J.	McFarland,	Turner,
Ewing,	Miller,	Underwood,
Ford,	Morris,	Vertress,
Gordon,	Murphy,	Whitsett—30.

Those who voted for Mr. Noe, were—

Messrs. Barbee,	Garland,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Harris,	Shawhan,
Butler,	Headley,	Sherwood,
Cargill,	Johnson,	Stevens, J.
Cottle,	Leonard,	Thompson,
Daviess, W.	Logan,	Vaughan,
Davis, J. W.	Lucas,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—31.
Duvall,		

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Garred,	Napier,
Beaty,	Harrison,	Reynolds,
Best,	Hayden,	Rhea,
Bibb,	Hite,	Rodman,
Bickley,	Holton,	Smith,
Blair,	Huston,	Spurr,
Bledsoe,	Jackson,	Stevens, S.
Chenault,	Jefferson,	Stewart, M.
Dunlap,	Jones,	Thomas,
Eubank,	Lewis, D. P.	Woods,
Eversole,	Magruder,	Word—35
Ewing,	McLarning,	

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Holladay,	Speed,
Anderson,	Hughes,	Stuart, J.
Boarman,	McClarty,	Swan,
Conklin,	McFarland,	Terrill,
Crenshaw,	Miller,	Turner,
Ford,	Morris,	Underwood,
Gordon,	Murphy,	Vertress,
Hardin,	Page,	Whitsett—25.
Harreld,		

Those who voted for Mr. Noe, were—

Messrs. Barbee,	Duvall,	Records,
Barlow,	Garland,	Reiley,
Bassett,	Grundy,	Shawhan,
Butler,	Harris,	Sherwood,
Cargill,	Headley,	Stevens, J.
Cottle,	Leonard,	Thompson,
Daviess, W.	Logan,	Vaughan,
Davis, J. W.	Lucas,	Vickers,
Davis, J.	McConnell,	Wallace,
Dodds,	Newell,	Wilson—31.
Dohoney,		

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Ford,	Napier,
Beaty,	Garred,	Reynolds,
Best,	Hayden,	Rhea,
Bibb,	Hite,	Rodman,
Bickley,	Holton,	Smith,
Blair,	Huston,	Spurr,
Bledsoe,	Jackson,	Stevens, S.
Chenault,	Jefferson,	Stewart, M.
Dunlap,	Jones,	Thomas,
Eubank,	Lewis, D. P.	Woods,
Eversole,	Magruder,	Word—35.
Ewing,	McFarland,	

Those who voted for Mr. Pope, were—

Messrs. Alexander,	Holladay,	Speed,
Anderson,	Hughes,	Stuart, J.
Boarman,	McClarty,	Swan,
Conklin,	McLarning,	Terrill,
Crenshaw,	Miller,	Turner,
Gordan,	Morris,	Underwood,
Hardin,	Murphy,	Vertress,
Harreld,	Page,	Whitsett—25.
Harrison,		

Those who voted for Mr. Noe, were—

Messrs. Barbee,	Duvall,	Records,
Barlow,	Garland,	Reiley,
Bassett,	Grundy,	Shawhan,
Butler,	Harris,	Sherwood,
Cargill,	Headley,	Stevens, J.
Cottle,	Johnson,	Thompson,
Daviess, W.	Leonard,	Vaughan,
Davis, J. W.	Logan,	Vickers,
Davis, J.	Lucas,	Wallace,
Dodds,	McConnell,	Wilson—32.
Dohoney,	Newell,	

Mr. Gordon then withdrew the nomination of Mr. Pope.

Mr. Hardin nominated Mr. Gwyn Page as a suitable person to fill the office of Speaker.

And the vote being taken it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Reynolds,
Beaty,	Holton,	Smith,
Best,	Huston,	Spurr,
Bickley,	Jackson,	Stevens, S.
Blair,	Jefferson,	Stewart, M.
Bledsoe,	Jones,	Thomas,
Chenault,	Lewis, D. P.	Woods,
Dunlap,	Magruder,	Word—25.
Eversole,		

Those who voted for Mr. Page, were—

Messrs. Alexander,	Harreld,	Pope,
Anderson,	Harrison,	Rhea,
Bibb,	Hite,	Rodman,
Boarman,	Holladay,	Speed,
Conklin,	Hughes,	Stuart, J.
Crenshaw,	McClarty,	Swan,
Eubank,	McFarland,	Terrill,
Ewing,	McLarning,	Turner,
Ford,	Miller,	Underwood,
Garred,	Morris,	Vertress,
Gordon,	Murphy,	Whitsett—35.
Hardin,	Napier,	

Those who voted for Mr. Noe, were—

Messrs. Barbee,	Duvall,	Records,
Barlow,	Garland,	Reiley,
Bassett,	Grundy,	Shawhan,
Butler,	Harris,	Sherwood,
Cargill,	Headley,	Stevens, J.
Cottle,	Johnson,	Thompson,
Daviess, W.	Leonard,	Vaughan,
Davis, J. W.	Logan,	Vickers,
Davis, J.	Lucas,	Wallace,
Dodds,	McConnell,	Wilson—32.
Dohoney,	Newell,	

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Hayden,	Murphy,
Beaty,	Holton,	Reynolds,
Best,	Huston,	Smith,
Bickley,	Jackson,	Spurr,

Blair, Jefferson, Stevens, S.
Bledsoe, Jones, Thomas,
Chenault, Lewis, D. P. Woods,
Dunlap, Magruder, Word—25.
Eversole,

Those who voted for Mr. Page, were—

Messrs. Alexander, Harreld, Rhea,
Anderson, Harrison, Rodman,
Bibb, Hite, Speed,
Boarman, Holladay, Stewart, M.
Conklin, Hughes, Stuart, J.
Chrenshaw, McClarty, Swan,
Eubank, McFarland, Terrill,
Ewing, McLarning, Towles,
Ford, Miller, Turner,
Garred, Morris, Underwood,
Gordon, Napier, Vertress.
Hardin, Pope, Whitsett—36.

Those who voted for Mr. Noe, were—

Messrs. Barbee, Garland, Records,
Barlow, Grundy, Reiley,
Bassett, Harris, Shawhan,
Butler, Headley, Sherwood,
Cottle, Johnson, Stevens, J.
Daviess, W. Leonard, Thompson,
Davis, J. W. Logan, Vaughan,
Davis, J. Lucas, Vickers,
Dodds, McConnell, Wallace,
Dohoney, Newell, Wilson—31.
Duvall,

Mr. Barlow then withdrew the nomination of Mr. Noe.

Mr. Grundy then nominated Mr. Frederick Johnson as a suitable person to fill the office of Speaker.

And the vote being taken, it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes, Hayden, Murphy,
Beaty, Hite, Reynolds,
Best, Holton, Smith,
Bickley, Huston, Spurr,
Blair, Jackson, Stevens, S.
Chenault, Jefferson, Thomas,
Dunlap, Jones, Woods,
Eversole, Magruder, Word—24.

Those who voted for Mr. Page, were—

Messrs. Alexander, Harreld, Rhea,
Anderson, Harrison, Rodman,
Bibb, Holladay, Speed,

Bledsoe, Boarman, Conklin, Crenshaw, Eubank, Ewing, Ford, Garred, Gordon, Hardin, Hughes, Lewis, D. P. McClarty, McFarland, McLarning, Miller, Morris, Napier, Pope, Stuart, M. Stuart, J. Swan, Terrill, Towles, Turner, Underwood, Vertress, Whitsett—37.

Those who voted for Mr. Johnson, were—

Messrs. Barbee, Barlow, Bassett, Butler, Cottle, Daviess, W. Davis, J. W. Davis, J. Dodds, Dohoney, Duvall, Garland, Grundy, Harris, Headley, Leonard, Logan, Lucas, McConnell, Newell, Noe, Records, Reiley, Shawhan, Sherwood, Stevens, J. Thompson, Vaughan, Vickers, Wallace, Wilson—31.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes, Beaty, Best, Bickley, Blair, Bledsoe, Chenault, Dunlap, Eversole, Hayden, Holton, Huston, Jackson, Jefferson, Jones, Magruder, Reynolds, Smith, Spurr, Stevens, S. Thomas, Woods, Word—23.

Those who voted for Mr. Page, were—

Messrs. Alexander, Anderson, Bibb, Boarman, Conklin, Crenshaw, Eubank, Ewing, Ford, Garred, Gordon, Hardin, Harreld, Hite, Holladay, Hughes, Lewis, D. P. McClarty, McFarland, McLarning, Miller, Morris, Murphy, Napier, Pope, Rhea, Rodman, Speed, Stuart, J. Swan, Terrill, Towles, Turner, Underwood, Vertress, Whitsett—36.

Those who voted for Mr. Johnson, were—

Messrs. Barbee,	Garland,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Harris,	Shawhan,
Butler,	Headley,	Sherwood,
Cottle,	Leonard,	Stevens, J.
Daviess, W.	Logan,	Thompson,
Davis, J. W.	Lucas,	Vaughan,
Davis, J.	McConnell,	Vickers,
Dodds,	Newell,	Wallace,
Dohoney,	Noe,	Wilson—31.
Duvall,		

Mr. Grundy then withdrew the nomination of Mr. Johnson.

Mr. James W. Davis nominated Mr. Elbridge G. Bassett as a suitable person to fill the office of Speaker.

And the vote being taken it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Eversole,	Reynolds,
Beaty,	Hayden,	Smith,
Best,	Holton,	Spurr,
Bickley,	Huston,	Stevens, S.
Blair,	Jackson,	Thomas,
Bledsoe,	Jefferson,	Woods,
Chenault,	Jones,	Word—23.
Dunlap,	Magruder,	

Those who voted for Mr. Page, were—

Messrs. Alexander,	Harrison,	Pope,
Anderson,	Hite,	Rhea,
Bibb,	Holladay,	Rodman,
Boarman,	Hughes,	Speed,
Conklin,	Lewis, D. P.	Stuart, J.
Crenshaw,	McClarty,	Swan,
Eubank,	McFarland,	Terrill,
Ewing,	McLarning,	Towles,
Ford,	Miller,	Turner,
Garred,	Morris,	Underwood,
Gordon,	Murphy,	Vertress,
Hardin,	Napier,	Whitsett—37.
Harreld,		

Those who voted for Mr. Bassett, were—

Messrs. Barbee,	Grundy,	Records,
Barlow,	Harris,	Reiley,
Butler,	Headley,	Shawhan,
Cottle,	Johnson,	Sherwood,
Daviess, W.	Leonard,	Stevens, J.
Davis, J. W.	Logan,	Thompson,
Davis, J.	Lucas,	Vaughan,

Dodds,	McConnell,	Vickers,
Dohoney,	Newell,	Wallace,
Duvall,	Noe,	Wilson—31.
Garland,		

And then the House adjourned.

TUESDAY, JANUARY 2, 1849.

On motion of Mr. Underwood, leave of absence for four days was granted to Mr. Thompson.

The House then proceeded to take a vote between those remaining on nomination on yesterday, and it stood thus:

Those who voted for Mr. Robertson, were—

Messrs. Barnes,	Ewing,	Reynolds,
Beaty,	Hayden,	Smith,
Best,	Holton,	Spurr,
Bickley,	Huston,	Stevens, S.
Blair,	Jackson,	Stewart, M.
Bledsoe,	Jefferson,	Thomas,
Chenault,	Jones,	Woods,
Dunlap,	Lewis, D. P.	Word—26.
Eversole,	Magruder,	

Those who voted for Mr. Page, were—

Messrs. Alexander,	Harrison,	Rhea,
Anderson,	Hite,	Rodman,
Bibb,	Holladay,	Speed,
Boarman,	Hughes,	Stuart, J.
Conklin,	McClarty,	Swan,
Crenshaw,	McFarland,	Terrill,
Eubank,	McLarning,	Towles,
Ford,	Miller,	Turner,
Garred,	Morris,	Underwood,
Gordon,	Murphy,	Vertress,
Hardin,	Napier,	Whitsett—35.
Harreld,	Pope,	

Those who voted for Mr. Bassett, were—

Messrs. Barbee,	Garland,	Noe,
Barlow,	Grundy,	Records,
Butler,	Harris,	Reiley,

Cargill,	Headley,	Shawhan,
Cottle,	Johnson,	Sherwood,
Daviess, W.	Leonard,	Stevens, J.
Davis, J. W.	Logan,	Vaughan,
Davis, J.	Lucas,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—31.
Duvall,		

Mr. Huston then withdrew the nomination of Mr. Robertson, and Mr. J. W. Davis withdrew the nomination of Mr. Bassett.

Mr. Smith nominated Mr. Mark E. Huston as a proper person to fill the office of Speaker.

And the vote being taken it stood thus:

Those who voted for Mr. Page, were—

Messrs. Alexander,	Grundy,	Rhea,
Anderson,	Hardin,	Rodman,
Barbee,	Harreld,	Speed,
Barlow,	Harrison,	Stevens, J.
Bassett,	Harris,	Stevens, S.
Bibb,	Headley,	Stewart, M.
Boarman,	Hite,	Stuart, J.
Butler,	Holladay,	Swan,
Cargill,	Hughes,	Terrill,
Conklin,	Leonard,	Towles,
Crenshaw,	Lewis, D. P.	Turner,
Daviess, W.	Logan,	Underwood,
Davis, J. W.	McConnell,	Vaughan,
Davis, J.	McFarland,	Vertress,
Dodds,	McLarning,	Vickers,
Eubank,	Miller,	Wallace,
Ewing,	Morris,	Whitsett,
Ford,	Napier,	Wilson,
Garland,	Noe,	Woods,
Garred,	Pope,	Word—62
Gordon,	Reiley,	

Those who voted for Mr. Huston, were—

Messrs. Barnes,	Eversole,	Murphy,
Beaty,	Hayden,	Newell,
Best,	Holton,	Records,
Bickley,	Jackson,	Reynolds,
Blair,	Jefferson,	Robertson,
Bledsoe,	Johnson,	Shawhan,
Chenault,	Jones,	Sherwood,
Cottle,	Lucas,	Smith,
Dunlap,	Magruder,	Spurr,
Duvall,	McClarty,	Thomas—30.

Mr. Page having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair, from whence

he returned thanks for the honor conferred, and recommended the observance and preservation of good order and decorum.

Mr. Thomas J. Helm was unanimously elected Clerk, and Mr. Joseph Gray Sergeant-at-Arms.

Mr. Gordon nominated Mr. William R. Campbell as a suitable person to fill the office of Doorkeeper; Mr. Barbee nominated Mr. Benjamin O. Branham; Mr. Bledsoe nominated Mr. Elisha Brown, and Mr. Rhea nominated Mr. J. W. Pruett; and the vote being taken, stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Holladay,	Reynolds,
Messrs. Anderson,	Jones,	Robinson,
Barnes,	Lucas,	Smith,
Bassett,	Magruder,	Spurr,
Blair,	McLarning,	Stevens, J.
Daviess, W.	Miller,	Terrill,
Davis, J. W.	Morris,	Thomas,
Ewing,	Murphy,	Wallace,
Garland,	Noe,	Whitsett,
Gordon,	Pope,	Wilson,
Harris,	Records,	Woods—34.
Hite,		

Those who voted for Mr. Branham, were—

Messrs. Barbee,	Garred,	Newell,
Barlow,	Leonard,	Reiley,
Butler,	McConnell,	Shawhan,
Dunlap,	Napier,	Vaughan—13.
Duvall,		

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Ford,	Lewis, D. P.
Beaty,	Grundy,	Logan,
Bledsoe,	Hardin,	McClarty,
Cargill,	Harreld,	Rodman,
Conklin,	Harrison,	Stuart, J.
Davis, J.	Headley,	Swan,
Dodds,	Hughes,	Underwood,
Dohoney,	Huston,	Vertress,
Eubank,	Johnson,	Vickers—27.

Those who voted for Mr. Pruett, were—

Messrs. Best,	Hayden,	Speed,
Bibb,	Holton,	Stevens, S.
Bickley,	Jackson,	Stewart, M.
Boarman,	Jefferson,	Towles,
Chenault,	McFarland,	Turner,
Crenshaw,	Rhea,	Word—20.
Eversole,	Sherwood,	

On motion of Mr. Hughes,

Resolved, That in all future ballots for Doorkeeper, the hindmost candidate shall be dropped until an election is had.

Mr. Rhea then withdrew the nomination of Mr. Pruett; and the vote being taken between those remaining on nomination, it stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Hite,	Rhea,
Messrs. Anderson,	Holladay,	Robertson,
Barnes,	Jefferson,	Sherwood,
Bassett,	Jones,	Smith,
Bickley,	Lucas,	Spurr,
Blair,	Magruder,	Stevens, J.
Crenshaw,	McLarning,	Stevens, S.
Daviess, W.	Miller,	Terrill,
Davis, J. W.	Morris,	Thomas,
Ewing,	Murphy,	Towles,
Garland,	Noe,	Wallace,
Gordon,	Pope,	Whitsett,
Harris,	Records,	Wilson,
Hayden,	Reynolds,	Woods—42.

Those who voted for Mr. Branham, were—

Messrs. Barbee,	Garred,	Napier,
Barlow,	Hardin,	Newell,
Butler,	Headley,	Reiley,
Dunlap,	Jackson,	Shawhan,
Duvall,	Leonard,	Vaughan—17.
Eversole,	McConnell,	

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Eubank,	McFarland,
Beaty,	Ford,	Rodman,
Best,	Grundy,	Speed,
Bibb,	Harreld,	Stewart, M.
Bledsoe,	Harrison,	Stuart, J.
Boarman,	Hughes,	Swan,
Cargill,	Huston,	Turner,
Chenault,	Johnson,	Underwood,
Conklin,	Lewis, D. P.	Vertress,
Davis, J.	Logan,	Vickers,
Dodds,	McClarty,	Word—34.
Dohoney,		

Mr. Towles then re-nominated Mr. Pruett as a suitable person to fill the office of Doorkeeper; and the vote being taken, it stood thus:

Those who voted for Mr. Campbell, were—

Messrs. Alexander,	Harris,	Pope,
Anderson,	Hayden,	Records,
Barnes,	Hite,	Reynolds,
Bassett,	Holladay,	Robertson,

Blair,	Huston,	Smith,
Butler,	Jefferson,	Spurr,
Chenault,	Johnson,	Stevens, J.
Cottle,	Jones,	Stevens, S.
Daviess, W.	Lucas,	Terrill,
Davis, J. W.	Magruder,	Thomas,
Dunlap,	McLarning,	Wallace,
Ewing,	Miller,	Whitsett,
Garland,	Morris,	Wilson,
Gordon,	Murphy,	Woods—44.
Harrison,	Napier,	

Those who voted for Mr. Brown, were—

Mr. Speaker,	Ford,	Reiley,
Messrs. Barbee,	Garred,	Rodman,
Beaty,	Grundy,	Shawhan,
Best,	Hardin,	Speed,
Bledsoe,	Harreld,	Stewart, M.
Cargill,	Hughes,	Stuart, J.
Conklin,	Lewis, D. P.	Swan,
Davis, J.	Logan,	Underwood,
Dodds,	McClarty,	Vaughan,
Dohoney,	McConnell,	Vertress,
Eubank,	McFarland,	Vickers—33.

Those who voted for Mr. Pruett, were—

Messrs. Barlow,	Eversole,	Noe,
Bibb,	Headley,	Rhea,
Bickley,	Holton,	Sherwood,
Boarman,	Jackson,	Towles,
Crenshaw,	Leonard,	Turner,
Duvall,	Newell,	Word—18.

No one on nomination having received a majority of all the votes given, the House proceeded to take another vote, which stood thus:

Those who voted for Mr. Campbell, were—

Mr. Speaker,	Gordon,	Napier,
Messrs. Anderson,	Harris,	Noe,
Barnes,	Hayden,	Pope,
Bassett,	Headley,	Records,
Bickley,	Hite,	Reynolds,
Blair,	Holladay,	Rhea,
Boarman,	Holton,	Robertson,
Butler,	Huston,	Sherwood,
Chenault,	Jefferson,	Smith,
Cottle,	Jones,	Spurr,
Crenshaw,	Leonard,	Stevens, J.
Daviess, W.	Lucas,	Terrill,
Davis, J. W.	Magruder,	Thomas,
Dunlap,	McLarning,	Towles,

Duvall,	Miller,	Wallace,
Ewing,	Morris,	Whitsett,
Garland,	Murphy,	Wilson—51.

Those who voted for Mr. Brown, were—

Messrs. Alexander,	Garred,	Rodman,
Barbee,	Grundy,	Shawhan,
Barlow,	Hardin,	Speed,
Beaty,	Harreld,	Stevens, S.
Best,	Harrison,	Stewart, M.
Bibb,	Hughes,	Stuart, J.
Bledsoe,	Jackson,	Swan,
Cargill,	Johnson,	Turner,
Conklin,	Lewis, D. P.	Underwood,
Davis, J.	Logan,	Vaughan,
Dodds,	McClarty,	Vertress,
Dohoney,	McConnell,	Vickers,
Eubank,	McFarland,	Woods,
Eversole,	Newell,	Word—44
Ford,	Reiley,	

Mr. William R. Campbell having received a majority of all the votes given, was declared duly elected Doorkeeper for the present session.

Mr. Hughes nominated Mr. Marcus M. Tyler as a suitable person to fill the office of Assistant Clerk; Mr. Vertress nominated Mr. John C. Herndon; Mr. Wilson nominated Mr. Mathew G. Jones, and Mr. Anderson nominated Mr. George H. McKinney; and the vote being taken, it stood thus:

Those who voted for Mr. Tyler, were—

Mr. Speaker,	Hardin,	Noe,
Messrs. Bibb,	Harreld,	Rhea,
Cargill,	Harrison,	Stevens, J.
Dodds,	Harris,	Terrill,
Eubank,	Hughes,	Towles,
Garred,	McConnell,	Wallace—20.
Gordon,	McLarning,	

Those who voted for Mr. Herndon, were—

Messrs. Alexander,	Holton,	Reiley,
Barlow,	Huston,	Reynolds,
Bassett,	Jefferson,	Robertson,
Best,	Johnson,	Rodman,
Bickley,	Leonard,	Sherwood,
Blair,	Lewis, D. P.	Smith,
Butler,	Magruder,	Spurr,
Conklin,	McClarty,	Stewart, M.
Crenshaw,	McFarland,	Stuart, J.
Daviess, W.	Miller,	Swan,
Davis, J.	Morris,	Underwood,

Duvall,	Murphy,	Vertress,
Hayden,	Pope,	Vickers,
Hite,	Records,	Whitsett—43.
Holladay,		

Those who voted for Mr. Jones, were—

Messrs. Cottle,	Lucas.	Shawhan,
Dohoney,	Newell,	Wilson—7.
Garland,		

Those who voted for Mr. McKinney, were—

Messrs. Anderson,	Dunlap,	Napier,
Barbee,	Eversole,	Speed,
Barnes,	Ewing,	Stevens, S.
Beaty,	Ford,	Thomas,
Bledsoe,	Grundy,	Turner,
Boarman,	Headley,	Vaughan,
Chenault,	Jackson,	Woods,
Davis, J. W.	Logan,	Word—24.

No one on nomination having received a majority of all the votes given,

Mr. Wilson withdrew the nomination of Mr. Jones.

The House then took a vote between those remaining on nomination, and it stood thus:

Those who voted for Mr. Tyler, were—

Mr. Speaker,	Garred,	McLarning,
Messrs. Bibb,	Gordon,	Noe,
Cargill,	Hardin,	Rhea,
Cottle,	Harreld,	Stevens, J.
Dodds,	Hughes,	Towles,
Eubank,	McConnell,	Wallace—18.

Those who voted for Mr. Herndon, were—

Messrs. Alexander,	Hite,	Records,
Barlow,	Holladay,	Reiley,
Bassett,	Holton,	Reynolds,
Best,	Jefferson,	Robertson,
Bickley,	Johnson,	Rodman,
Blair,	Jones,	Sherwood,
Butler,	Leonard,	Smith,
Conklin,	Lewis, D. P.	Spurr,
Crenshaw,	Lucas,	Stuart, M.
Daviess, W.	Magruder,	Stuart, J.
Davis, J. W.	McClarty,	Swan,
Davis, J.	McFarland,	Terrill,
Dohoney,	Miller,	Underwood,
Duvall,	Morris,	Vertress,
Ford,	Murphy,	Vickers,
Hayden,	Pope,	Whitsett—48.

Those who voted for Mr. McKinney, were—

Messrs. Anderson,	Garland,	Shawhan,
Barbee,	Grundy,	Speed,
Barnes,	Harrison,	Stevens, S.
Beaty,	Harris,	Thomas,
Bledsoe,	Headley,	Turner,
Boarman,	Huston,	Vaughan,
Chenault,	Jackson,	Wilson,
Dunlap,	Logan,	Woods,
Eversole,	Napier,	Word—29.
Ewing,	Newell,	

Mr. John C. Herndon having received a majority of all the votes given, was declared duly elected Assistant Clerk.

On motion of Mr. J. Stuart,

Ordered, That the rules of the last session of the House of Representatives be adopted for the government of this House in its proceedings for the present.

A message was received from the Senate by Mr. Rice:

Mr. Speaker: I am directed by the Senate to inform this House, that the Senate having met, formed a quorum, and having elected their officers, are now ready to proceed to legislative business.

On Motion of Mr. Underwood,

Ordered, That a message be sent to the Senate, informing them that this House has met, formed a quorum, and elected their officers, and are now ready to proceed to legislative business. That they have appointed a committee on their part to act in conjunction with a committee on the part of the Senate, to wait on the Governor, and inform him that they are now ready to receive such communication (by way of message) as he may think proper to make.

Whereupon, Messrs. Underwood, Newell and Vertress, were appointed the committee on the part of this House.

Ordered, That Mr. Underwood inform the Senate thereof.

A message was received from the Senate by Mr. Todd, informing this House that they had appointed a committee on their part to wait on the Governor.

The committee retired, and after a short time returned, when

Mr. Underwood reported that the Governor would forthwith make to the General Assembly a communication in writing.

1. Mr. Pope presented the petition of Andrew J. Banton, praying for a change of venue.

2. Also, the petition of Coleman Rogers and others, praying for the charter of a New Medical School at Louisville.

3. Mr. Barbee presented the petition of the heirs of William Buckner, dec'd, praying that his executor may convey certain lands.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Pope, Hardin and Towles; the 2d to the committee on Education, and the 3d to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On the motion of Mr. Hughes—1. A bill to provide for the election of Delegates to a Convention to alter and amend the Constitution of this State.

On the motion of Mr. Alexander—2. A bill to amend the duelling law.

On the motion of Mr. Hughes—3. A bill incorporating the Union County Pond Draining Company.

Ordered, That Messrs. Hughes, Barlow, Gordon, J. W. Davis and Holladay prepare and bring in the 1st; Messrs. Alexander, Hardin, Pope and J. Stuart the 2d, and Messrs. Hughes, Holladay and Towles, the 3d.

On motion of Mr. Hughes,

Resoved, That the Ministers of the Gospel of Frankfort be requested, alternately, to open the House with prayer.

A message was received from the Governor by Mr. Brown, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before this House a message in writing.

The said message was then taken up and read as follows:

Gentlemen of the Senate,
and House of Representatives:

In obedience to the provision of the Constitution requiring the Governor, from time to time, to give to the General Assembly information of the State of the Commonwealth, and to recommend to their consideration such measures as he shall deem expedient, I will now proceed to address you, briefly, on the topics that appear to me to possess the most general interest. And here permit me to state, that in contemplating the peace, plenty, and security, with which the Creator has blessed our people, the first impression of the mind and impulse of the heart should be of gratitude and praise to Him for the happiness of our condition. He has given to us a country having the advantages of a vigorous climate and a soil of unsurpassed fertility, and placed within our reach the natural means of greatness and prosperity. We have but to use these gifts with thankfulness and wisdom, to insure a glorious destiny to the inhabitants of our favored land.

Nor should we, on an occasion like the present, when the General Assembly will be called upon, in the course of their deliberations, to prepare the way for a new order of things, be unmindful of the obligations we are under to the wisdom and virtue of those who have gone before us, who framed for us a system of government and laws so well adapted to the genius and wants of the people for whom they were

enacted, and which have, for so many years, afforded the amplest protection to the rights and liberty of the citizen. To the benign influence of their wise and patriotic legislation we owe much of that character that constitutes the pride of every Kentuckian—causing him to feel that there is something honorably distinctive in the name, and attaching him, by the institutions of his country and the force of early association, to the great principles of Republican Government. The strength of our form of government is in the truth of the principles upon which it rests. Those principles are, the liberty and equality of all before the law, and in no state or country have those ends been more thoroughly attained than in ours. Ours is indeed a glorious past; and that should be an example and an encouragement to us to endeavor so to shape the future that it may truly be said of us that the republic sustained no damage at our hands.

The article of the Constitution that makes it the duty of the Executive to see that the laws are faithfully executed, whilst it is among the most important of the functions of that officer, is, happily, one that he is rarely called upon to exercise in any forcible manner. There is such a judicious distribution of powers to the various Departments, and the legislation of the country has been marked by so much justice, temperance and moderation, that there is an habitual respect and obedience paid to them; and any thing like opposition to the laws by individuals, or by organized resistance, is almost unheard of. Undoubtedly, there are imperfections incident to all legislation, and it must, in the nature of things, sometimes happen that the laws are unequal in their operation. Should such be the case it will not escape the attention of the People's Representatives, and they will be the first to apply the corrective.

The people having expressed their will, in the legal and constitutional mode, for a Convention to frame a new Constitution, it will become your duty to pass such laws as are necessary to carry their wishes into effect; and I would recommend an early action on that subject. The important question of a change in the fundamental law of the land was wisely left to the determination of the People alone, and they have, in two consecutive elections and by an increased majority at the last, voted for the call of a Convention. They have exercised their high prerogative in a manner that augurs favorably for its ultimate issue. We have seen them assemble without violence, excitement, or tumult, expressing their will with the calm dignity of freemen too well acquainted with their rights to bring them into contempt by an unseemly manner of asserting them. The extraordinary unanimity of the vote proves, beyond controversy, that the question rose high above party or ephemeral considerations, and it is to be hoped that this lofty spirit will prevail unto the end. When the People speak, the voice of faction or of party should not be heard. Parties rise and fall with the exciting topics of the day, and

catch their hue from the schemes of their leaders. But Constitutional Law is the ægis of a whole People, and those who are called upon to frame it should never forget that their labors are to affect not only the present but future generations. The People of Kentucky should remember that their old Constitution has been to them the shadow of a great rock in a weary land—that it has protected them in the midst of strong excitements and the most embittered party conflicts, and that it had the power to do this because it was not the work of party but of patriotism and political wisdom. I have no fears myself as to the issue of the approaching Convention. I believe that it will be guided by a wise and temperate spirit which, whilst it avoids all rash innovation, will, at the same time, by its prudence and wisdom, satisfy that public opinion which called it into existence and trusts so much to its hands.

There are some subjects to which I feel it my duty to call the particular attention of the General Assembly; and first among these is that of Education. The Legislature, at its last session, passed an act requiring the Sheriffs and other officers to open a poll, and take the vote of the qualified voters of this Commonwealth, upon the propriety and expediency of imposing a tax of two cents on each one hundred dollars worth of taxable property, for the purpose of establishing more permanently a Common School System in this State. In pursuance of this act, a poll was opened in August, and a direct vote taken upon it, which resulted in showing that out of an aggregate vote of one hundred and twelve thousand four hundred and sixty three, cast for and against it, there was a majority of thirty six thousand eight hundred and eleven votes in its favor. This vote proves clearly that the difficulty is not and has not been with the People. Taken in conjunction with messages of former Governors and acts of former Legislatures, it shows the universal sense of the importance of such a system. While I would avoid an appearance of needless exhortation on this subject, yet I would fail in my duty if I did not earnestly invite the General Assembly to make it the subject of their anxious care. However discouraging and unsuccessful former efforts may have proved, it cannot be doubted but that *there is a way* to success; and if there be, who so competent as the Representatives of the People, intimately acquainted as they are with their wishes and wants, to find it out, and to adapt it to the condition of the country? From the enlightened gentleman now acting as the Superintendent of the Common School System, every assistance may be expected that zeal, talents and a large experience can afford. We claim for our people no natural superiority of intellect or capacity; but the circumstances of their early history, under the influence of which they have grown up, have impressed upon them a character of great vigor, activity and enterprize of body and mind, and the State, to be true to herself and just to

them, should afford them the means of acquiring that degree of education that is necessary to give the most wholesome and efficient direction to those high attributes. I repeat again an earnest recommendation of this subject. Let no efforts be considered too great—no patience too exhausting, and no means too expensive. Let us exhibit to the nation the noble spectacle of Kentucky educated as she ought to be—her sons and daughters adding the grace and power and virtues of cultivated minds to their fine natural qualities, and those who have contributed to bring about the result will be entitled to the lasting gratitude of posterity.

The public debt is a subject that must always command the serious and fixed attention of the General Assembly. My predecessors in office have, in their annual communications, kept the country so fully advised as to the actual condition of the debt, that but little more is left to me to communicate by way of information than to notice such changes as may have occurred since the last meeting of the Legislature.

The public debt of the State on the first day of January, 1848, amounted to the sum of four millions, six hundred and eight thousand, three hundred and thirty nine dollars. The following changes have occured:

State debt, as above, on January 1st, 1848, - - -	$ 4,608 339	00
January 26—Cash of Craddock Fund, - - -	642	81
January 15—30 year six per cent. bond issued, -	1,000	00
	$ 4,609,981	81
Since that time the debt has been reduced, - - -	77,068	00
Leaving the total debt of the State on the 20th December, 1848—this sum, - - - - -	$ 4,532,913	81
From the above sum it has been usual to deduct the amount of Bank Stocks owned by the State, as the State is in possession of the means to pay this without imposing taxation on the People. The amount of Bank Stock thus owned by the State, is - - -	$ 1,270,500	00
This deduction will make the actual debt of the State,	$ 3,262,413	81

To provide for the payment of the interest, and for the gradual extinction of this debt, the General Assembly, at an early period, established a Sinking Fund.

That fund is composed of the following items:

1. Tax on the capital stock of the Bank of Kentucky, and dividends on 9,399 shares of stock in the said Bank, held by the State and by the Commissioners of the Sinking Fund.

2. Tax on the capital stock of the Northern Bank of Kentucky, and dividends on 2,900 shares of stock in said Bank, held by the State and the Commissioners of the Sinking Fund.

3. Tax on the capital stock of the Bank of Louisville, and dividends on 406 shares of stock in said Bank.

1775

4. Profits of the Commonwealth's Bank.

5. Proceeds of the State stock in the Old Bank of Kentucky.

6. Five cents on every one hundred dollars worth of property liable to taxation.

7. One-third of the taxes collected on non-residents' lands.

8. Excess over five thousand dollars in the Treasury at the end of each year, after deducting all demands.

9. Rent of the Lexington and Ohio Railroad.

10. Tolls from slack water navigation on the Kentucky, Green and Barren rivers, and rent of water power.

11. Dividends on the State's stock in the various turnpike roads and bridges in the State.

12. Two thirds of the profits of the Penitentiary.

13. Taxes on brokers and insurance offices.

14. Premium on sale or exchange of State bonds.

A few of the least important of these resources have ceased, while the productiveness of others has been greatly enhanced.

For a detailed account of the management and operations of this ample fund, the General Assembly is referred to the Reports of the First and Second Auditors and of the Commissioners of the Sinking Fund. A brief abstract from the official statements will suffice for a general idea of what is the present condition of this fund.

Balance on hand 10th October, 1847,		$ 139,387 12
Receipts from that date to 10th October, 1848,		328,265 61
Receipts from 10th Oct., 1848, to 20th Dec., 1848,		40,022 17
Add amount due from Revenue Department,		27,258 20
Making,		$ 534,933 10

EXPENDITURES.

Warrants issued and paid same time,	$ 385,163 11	
Necessary to pay interest due 1st Jan., 1849,	131,807 41	
Making,		516,970 52
Leaving a balance of		$17,962 58

RESOURCES FOR 1849.

The resources, including the balance on hand as before stated, (1848,)		$ 373,486 39
Amount necessary to pay interest,	$ 263,614 82	
Repairs on Kentucky river,	15,000 00	
Repairs on Green and Barren river,	10,000 00	
Contingent expenses,	900 00	
Making,		289,514 82
Surplus for 1849,		$ 83,971 57

It appears from the foregoing that the Sinking Fund has, in the course of the present year, not only furnished the means of paying punctually the interest of the public debt, but also of extinguishing $77,068 of the principal. And the estimates made for the year 1849, assure us of an equally favorably result, and exhibit a balance, after payment of interest, of $83,971 57, applicable to a further reduction of the debt. The payment of the semi-annual interest due on the 1st January, has been fully provided for. And, so far, it is believed that the expectations of the General Assembly have been fulfilled, by the operations and effects of the Sinking Fund. These results, and the prospects for the future, show the solidity of our means and our credit, and will be a just source of gratification to the General Assembly.

Our State debt was created, chiefly, in the construction of works of Internal Improvement, and dates it origin from the overthrow of that system by the General Government. It having been settled, at Washington, that there could be no improvements within the limits of Kentucky that would properly fall under the head of National works, it became necessary for the General Assembly, in order that Kentucky might not be put at a disadvantage by the superior public spirit of other States, to undertake the improvement of our own roads and rivers. This was necessary to facilitate the intercourse between the People, to stimulate their industry and aid their commerce—thus enabling them to come into equal competition with their rivals in enterprise and business. If the application of the money appropriated for these objects has not, always, been the most economical and judicious, yet the system was unquestionably founded in a spirit of patriotism, and in a laudable desire suitably to improve the country Providence has assigned us. When due allowance is made for the disadvantages attending first experiments, and the unavoidable concessions necessary to reconcile conflicting interests and insure harmonious action, there is more for us to rejoice at than complain of. Our citizens have, certainly, derived great advantages from the public works, even in their present incomplete condition, and the State is receiving an increasing remuneration from the tolls collected from the roads and rivers. There is much reason to hope that these receipts will, in a few years, directly contribute, largely, to the discharge of the debt incurred in their construction—throwing entirely out of the calculation the increased value of lands and property and the new sources of wealth to which they have given rise, and that greatly augment the annual revenue.

The course of legislation for the last few years indicates, clearly, the popular will that nothing should be done to diminish the power of the State to redeem, at maturity, her out-standing bonds, and to meet, with unwavering promptness, every payment of interest at the places and

times when and where they may fall due. I accord, most unreservedly, my approbation to the stern honesty of our people that bids them be just, before they consult their convenience, their comforts or their growth; and will not take it upon myself to recommend any measure that may hazard that sound principle—a principle as important for the good name of a State as of an individual. Nor would I, at the same time, advise the unwise economy that buries the talent, intended for increase, through an unfounded fear that we are serving hard masters. I know that our constituents desire us to do all that may be done, within the limits of salutary prudence, to develop the resources of the State. And I have no fear but that it is within the compass of wise legislation to connect together the broken links in the chain of improvements already constructed, so as to make them conduce to the purposes for which they were undertaken, or to give such extension to other works as will adapt them to the wants of a more extended section of country, and thus greatly increase the public wealth without involving us by a ruinous enlargement of the existing debt. To your better judgments, however, such subjects may be more properly submitted, and it is not appropriate to my office to say any thing more than to promise my hearty co-operation in any measures that will promote the general interest without encroachment upon the resources that are necessary to extinguish liabilities already incurred. I desire to add, that if the General Assembly shall find it necessary, for any purpose whatsoever, to augment the public debt, they should accompany their legislation with such provisions, either by an increase of the resources of the Sinking Fund, or otherwise, as will insure its redemption at maturity, and the punctual payment of the interest. The prompt payment of our debt ought not to be regarded as a question of expediency or policy. It is a matter of duty. The preservation of the faith and credit of the State is something more than a mere abstract sentiment that it is the preservation of its honor. It is a part of the property and strength of the State, and they who squander it, bring on lamentable poverty and weakness.

To the annual Report of the Board of Internal Improvement you are referred for a detailed account of the condition of the public works and the operations of the Board during this year. A change occurred in the office of President by the resignation of Mr. Metcalfe, who, for many years, had discharged its arduous duties with credit to himself, and to the general satisfaction of the country. His successor, has, since his appointment, spared no pains in making himself thoroughly acquainted with the whole subject, having visited, in person, all the works, either on the Rivers or Roads, in which the State has any interest, and diligently applied himself to giving them the highest degree of efficiency and security. From his Report, I feel confident that you will derive much

valuable information; and to such suggestions as he may deem proper to lay before you, I would invite your most attentive consideration.

Intimately associated with a system intended to increase the facilities for exporting our products to market and bringing in, on the most favorable terms, whatever articles we desire to import, is the application of the science of Geology to test the various properties of the soil, and to indicate where the valuable minerals with which our State is known to abound will best reward the labor necessary to uncover them and bring them into use. I have received communications from scientific gentlemen, and been personally applied to by some of our most successful farmers, to bring the subject of a Geological Survey before the General Assembly and invite their action upon it. There is certainly a deep interest felt in the subject by many of our most valuable citizens, and we have the example of other States to encourage us, who have already reaped great advantages from similar surveys. Twenty States have engaged in this work, and some have expended large sums of money upon it. Something is also due by way of reciprocity towards those who are thus engaged in extending the scientific knowledge of their country, and I would recommend an annual expenditure for two or three years of an amount sufficient to defray the expenses of a General Survey. From that survey enough would be indicated to advise the country of the policy of prosecuting a more thorough and minute survey thereafter.

The condition of the Penitentiary is always a subject of interest to the General Assembly, and it gives me pleasure to state that under the management of its humane, mild, yet firm and judicious Keeper, it is, in most respects, answering the purposes for which it was intended. The number of persons in confinement on the 1st day of December was one hundred and sixty one. Of these, one hundred and forty-five are white males—thirteen negroes and mulattoes—two Mexicans, and one Albino. There is not a female in the prison. In consequence of the destruction of the buildings by fire and the necessary rebuilding of them and the construction of other houses and the purchase of ground and great enlargement of the enclosure, the State has not for some time derived any direct revenue from the labor of the convicts. But I am informed by the Keeper that there is every reason to expect that as such unforseen and unavoidable expenditures have nearly all been incurred, the Institution will soon be able to make a dividend of profits that will add much to the available resources of the Sinking Fund. The annual report of the Keeper will be laid before you at an early day of the session.

For an accurate exhibition of the State of the Public Treasury, you are referred to the Reports of the Treasurer and First and Second Auditors. These Reports will fully inform you of the fiscal operations of that department for the year 1848, and will furnish you with an estimate for

1849. It will be seen from those Reports that the expenditures for the fiscal year ending on the 10th October, 1848, amounted to $314,279 39 cents. The amount transferred to the Sinking Fund during the same time, was $113,839 02 cents—making the total of expenditures for that year $428,118 41 cents.

The amount of receipts during the same period was $400,298 19 cents. Balance in Treasury on 10th day of October, 1847, was $19,269 23 cents —making the total of receipts $419,567 42 cents—leaving the Revenue Department in arrears on the 10th day of October, 1848, the sum of $8,550 99 cents.

There was received by the Treasurer from the 11th day of October to the 30th November, 1848, $37,886 09 cents. Amount of expenditures during same time, $28,559 71. To this add arrears on 10th October, as above, $8,550 99, and there was a balance in the Treasury on the 30th November, 1848, of $775 39 cents.

For the year 1849, the supposed receipts will amount to the sum of $438,136 48 cents. Of this, there is to be paid to the Sinking Fund $129,807 17 cents. Supposed expenditures for 1849, $282,750. Amount in arrears on 10th October, 1848, $8,550 99 cents—making a total of $421,108 16 cents—leaving a supposed balance in the Treasury on the 10th of October, 1849, of $17,028 32 cents.

The foregoing estimates of expenditures for the year 1849, are based upon the supposition that the present session of the Legislature will continue the usual number of days, which would make the pay of the members $28,500 for a session of sixty days—and the ordinary appropriations are estimated at $31,500. But it is proper to add, that it will be necessary to make provision for the expenses of the Convention that is to convene during the year 1849. If not otherwise provided for, those expenditures will be an additional charge upon the Treasury. It is estimated that the expenses of the Convention will amount to $392 80 cents per day, which, for a session of ninety days, would amount to $35,352. The balance in the Treasury on 10th October, 1849, deducted from $35,352, would leave a deficit on the 10th of October, 1849, of $18,323 68. It must also be borne in mind, that should any defalcation appear on a settlement with the late Treasurer the burthen of the loss will fall upon the Treasury Department.

As properly appertaining to the foregoing subject, the painful duty devolves on me of communicating to the General Assembly the following information. A short time before the close of the administration of my predecessor, he was informed that there was an apparent deficit in the Treasury of uncertain, but supposed to be, of considerable amount. This led him to examine the bonds of the Treasurer to see who were the securities to whom the State must look to make up the deficit if any

should be found to exist. The result of this examination disclosed to him the fact that while the Treasurer had, annually, given to the Executive the names of good and sufficient securities, and the same had been accepted by him and approved by the Senate, the bonds themselves had not been signed by the securities since the year 1840. That this failure to duly execute the bonds was the result of inattention rather than of design is inferable from the fact that the names of the securities were regularly given to the Governor and spread upon the Journals of the Senate, and the securities themselves either supposed that they had signed the bonds until otherwise informed, or that the old bond was sufficient. Col. Davidson, the late Treasurer, was, at the time this defalcation was discovered, in a very infirm state of health, and languishing on a bed of sickness, from which it was thought for many weeks that he would not recover. While in this condition, despairing himself of recovery, and being informed that the public business was suffering for want of his personal attention, and in ignorance of even a rumor of any defalcation, he tendered his resignation to the Governor, accompanying it with an urgent request for a prompt settlement of his accounts with the State. The resignation was accepted, and Governor Owsley appointed Ambrose Dudley and Francis Lloyd, Esqs., commissioners, to examine into and report upon the condition of the Treasury, which report will be laid before the General Assembly.

I am unwilling to dismiss this subject without saying, that whatever defalcation may appear upon a final settlement of these accounts, I cannot, in justice to an old and diligent public servant and a patriot soldier well tried in the fire of battle and covered with wounds, withhold the expression of my opinion that it has not been occasioned by the dishonesty of the officer. Much may properly be attributed to the great complexity of the accounts necessarily to be kept by him, running through a long series of years and embracing transactions with Banks and the Board of Internal Improvement and the Commissioners of the Sinking Fund and the receiving and disbursing of millions of public money—all of which had to be done by an individual who had not been brought up as an accountant, and those who trusted him did so rather for his known honor and fidelity than for any other qualification. For myself, I do not believe that he has done any thing to sully his hitherto unimpeached character. I do not believe that James Davidson would, on any consideration, improperly thrust his hand into the Public Treasury. The whole subject is submitted to the General Assembly, as a matter deserving their strict examination and scrutiny.

In the preceding observations I have called the attention of the General Assembly to the consideration of our domestic affairs. Entertaining however, as we do, an intimate relation with the General Govern-

ment, a few remarks upon the nature of that connexion will not be out of place.

The message of the President has informed us that the United States are now at peace with the world. There is no important question unsettled in our foreign diplomacy. We have no subject of dispute with any other people, and there is no cause that threatens, so far as can be foreseen, to disturb this general peace. Under the auspices of our State Governments to take care of our domestic concerns, and of the General Government to guard our national and external rights and interests, we may confidently look forward to a future full of every thing that can gratify the hearts of a civilized and free people. It is in this general result of the operation of the American system of government, that the States feel and know that they are important parts of a great whole; and that they have other cares, interests and duties which claim their attention beyond those that are merely local and peculiar to themselves respectively. If we would act in the right spirit, and under the influence of proper sentiments, we must habitually contemplate ourselves and our State as members of the great National Union. It is in and by that Union that we are known among the nations of the Earth. It is in that Union that we are respected by the world. And, under the joint protection of the government of the Union and the government of the States, we have the amplest securities that patriotism and wisdom can furnish for freedom and prosperity. The Union of the States is not only indispensable to our greatness, but it is a guarantee for our Republican forms of Government. With the preservation of that Union and the constitution by which it is established and laws by which it is maintained, our dearest interests are indissolubly blended. An experience of near sixty years, while it has confirmed the most sanguine hopes of our patriotic fathers who framed it, has taught us its inestimable value. Its value will be above all price to us so long as we are fit for liberty, and it will fail only when we become unworthy of it. No form of government can secure liberty to a degenerate people. Kentucky, situated in the heart of the Union, must, and will exercise, a powerful influence on its destiny. Devotion to the Union is the common sentiment of her people. I do not know a man within the limits of the State who does not entertnin it. We all feel that we can safely rely upon a Union which has sustained us so triumphantly in the trials of peace and war; and we entertain no fears from those who have a common interest in it with ourselves. The fraternal feelings with which we regard them, and the filial reverence we ourselves have for the link that binds us together, give us strength in the faith that they cherish the same bonds of brotherhood and will practice no intentional injustice towards us. We can have no better security for our rights than that Union and

the kindred feelings that unite us with all the members of the Confederay. If these sentiments ever cease to prevail, I trust that Kentucky will be the last spot from which they will be banished. Errors, and even abuses may occasionally arise in the administration of the General Government--so they may in the administration of all Governments—and we must rely upon public opinion, the basis of all Republican Governments, for their correction. The dissolution of the Union can never be regarded—ought never to be regarded—as a *remedy*, but as the *consummation of the greatest evil that can befall us*. Kentucky, devoted to that Union, will look to it with filial confidence, and, to the utmost of her might, will maintain and defend it. We let no meditations or calculations on any sectional or other confederacy, beguile us to the point of weakening our attachment to the Union. Our relations and our attachments are with and to *all the States;* and we are unwilling to impair them by any entangling engagements with a *part*. We are prouder of our rank as a member of the United States than we could be of any sectional or geographical position that may be assigned us. We date our prosperity as a nation from the adoption of the Federal Constitution. From the government that it established we have derived unnumbered blessings, and whatever of evil has occurred in its administration bears no proportion to its benefits.

In proof of the foregoing sentiments we may appeal to our past history. We have seen measures of national policy which we considered of vital importance to our welfare perish in the conflicts of parties, and other systems, deemed by us inimical to our best interests, prevail. Yet we did not falter in our allegiance to our common government, but waited, with patience, for the development of the conclusion to which a majority of the whole nation would ultimately arrive after a calm survey and experience of what would best promote the public good. The administration that is now drawing to its close, was not called into existence by the vote or the wish of a majority of the people of Kentucky. Many of its most important measures have not been such as we desired to see enacted. Yet it has met with no other opposition than a manly expression of an honest difference of opinion. And when war was declared with Mexico, notwithstanding the opinion that prevailed, that it might have been avoided by wise statesmanship, still Kentucky responded to the call of the President, not halting to debate the necessity of the war, but finding in the fact that it was declared by the constituted authorities of the nation—a sufficient claim upon her patriotism. She has come out of that war with an increase of glory, being behind none in advancing the honor of the national flag; and to our brave volunteers who gain for us that proud eminence the thanks of the State are due. If such has been her action through the past, may we not safely promise that the ad-

ministration of Gen. Taylor will receive a cordial support from the State of Kentucky? The veteran patriot who has been just chosen to administer the government of the United States was brought to Kentucky an infant in his mother's arms. He was here reared to that vigorous manhood and with those sterling virtues that have sustained him through a long period in his country's service. There is, therefore, a natural reason for our confidence and attachment. But he comes into his high office with the avowed purpose of endeavoring to carry out the principles and policy of WASHINGTON, and this should commend him to the affections of the American people. It will be his aim to soften, if he cannot extinguish, the asperities of party strife—to give to the government its constitutional divisions of powers as they were designed to be exercised by its framers, and to make the Congress of the United States the true exponent of the will of their constituents.

Under such an Administration, guided by such principles and motives, the people of the United States seem to have the best assurance of their liberty, and of all the blessings that good Government can bestow.

These relations have been alluded to in no partizan spirit, but in the hope that we at last see the dawn of an era ardently desired by every lover of his country—when the discordant elements that have so long disturbed the public repose, will give place to more fraternal feelings, and the pure patriotism of the Revolution prevail in every American heart.

But in the midst of our bright prospects and high hopes, it becomes us to acknowledge our grateful dependence upon that Supreme Being without whose favor all schemes of human happiness are vain, and without whose benediction the wisdom and exertion of man can accomplish nothing truly great and good. J. J. CRITTENDEN.

DECEMBER 30, 1848.

On motion of Mr. Hite,

Resolved, That the Public Printer forthwith print 5,000 copies of said message for the use of the members of this House.

And then the House adjourned.

WEDNESDAY, JANUARY 3, 1849.

1. Mr. Houston presented the petition of sundry citizens of the town of Taylorsville, praying that the law authorizing the sale of Water Street in said town be repealed.

2. Mr. Towles presented the petition of sundry persons, praying a repeal of the charter of Augusta College.

3. Mr. Gordon presented the petition of Nancy Thorn, praying a divorce from her husband, James Thorn.

4. Mr. Hughes presented the petition of Sarah Lorispaugh, praying a divorce from her husband, George Lorispaugh.

5. Mr. Towles presented the memorial of William Pickering, President of the Mt. Carmel and Alton Railroad, upon the subject of a donation of public lands by Congress to aid in the construction of said road.

6. Mr. Dodds presented the petition of Tilman H. Steet, and Julia Ann, his wife, praying a divorce from each other.

7. Mr. Harris presented the petition of William McCoy, Nathan Clay, William Ratliff, John Priest and David James, praying a change of venue in a prosecution now pending in the Lawrence Circuit Court against them.

8. Mr. Crenshaw presented the petition of sundry citizens, praying an amendment to the laws for the protection of religious worship.

9. Mr. Cargill presented the petition of John Carroll, Jr., praying a divorce from his wife, Penny Carroll.

10. Mr. Barbee presented the petition of Henry R. Bishop, praying a divorce from his wife, Charlotte Bishop.

11. Mr. Barbee presented the petition of Robert Stockton, praying the passage of a law authorising the sale of certain estate, held in trust for the use of his infant children.

12. Mr. Thomas presented the petition of sundry citizens, praying an amendment to the laws for the protection of religious worship.

13. Mr. Swan presented the petition of sundry citizens, praying the establishment of a new county out of parts of the counties of Hardin, Meade, Bullitt and Jefferson.

14. Mr. Eubank presented the petition of Mary P. Sadler, praying a divorce from her husband, Thomas J. Sadler.

15. Also, the petition of sundry citizens of Simpson county, praying for the passage of a law exempting millers from working on roads.

16. Mr. Cargill presented the petition of Albert A. Boswell, praying that he may be permitted to import into this State a slave.

17. Mr. Crenshaw presented the petition of Helen Cannon, praying a divorce from her husband, David W. Cannon.

18. Mr. Barbee presented the petition of sundry citizens of Taylor county, praying a change of the place of voting in an election precinct in said county.

19. Mr. Huston presented the petition of sundry citizens, praying an amendment to the laws for the protection of religious worship.

Which were received, the reading thereof dispensed with, and referred—the 1st, 2d, 7th, 11th, 15th, 16th and 19th, to the committee on the Judiciary; the 3d, 4th, 6th, 8th, 9th, 10th, 12th, 14th and 17th, to the committee on Religion; the 5th to the committee on Federal Relations; the 13th to the committee on Propositions and Grievances; and the 18th to the committee on Privileges and Elections.

The Speaker laid before the House the annual report of the 2d Auditor, which is as follows:

REVENUE DEPARTMENT, AUDITOR'S OFFICE, KY.
Frankfort, January 3, 1849.

SIR: I herewith submit the annual report from this Department.

I am, sir, very respectfully,
THOS. S. PAGE, *2d Auditor.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The Speaker laid before the House the report of James Davidson, late Treasurer, which is as follows:

STATE OF KENTUCKY, TREASURY OFFICE,
Frankfort, January, 3d.

SIR: You will please lay before the House over which you preside the accompanying report, which exhibits the condition of the Treasury from the 11th day of October, 1847, to the 7th day of August, 1848, inclusive.

I am, with great respect, yours, &c.,
JAMES DAVIDSON.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The Speaker laid before the House the annual report of the Kentucky and Louisville Mutual Insurance Company, which is as follows, viz:

THE KENTUCKY AND LOUISVILLE MUTUAL INSURANCE COMPANY.

Report of the condition, progress and affairs of said Company, up to the 30th November, 1848, inclusive, viz:

Amount insured, 1036 policies,	$2,752,798 66	
Deduct amount of policies expired,	1,036,845 00	
		$1,715,953 66
Amount insured on merchandize, 30 policies,	$60,200 00	
Deduct amount of policies expired,	43,100 00	
		17,100 00
		$1,733,053 66
Amount of premium notes,	$175,124 10¾	
Deduct amount of premiums discharged,	53,090 33¼	
	$122,033 77½	

Received on premium notes,	$ 27,946 69	
Received for 1,036 policies,	1,036 00	
Received for 30 policies on merchandize,	30 00	
Received for extra premium,	323 49	
Received for premium on merchandize,	1,262 12½	
Received for dividends on Bank stock,	378 00	
		$ 30,976 30½
Paid expense account,	$ 14,734 26	
Paid for losses,	13,398 18	
Paid for commissions to agents,	423 29½	
Due from agents,	275 05½	
Cash, balance,	2,145 51½	
		$ 30,976 30½

BALANCES.

DEBITS.

To bills receivable,	$ 94,087 08¼
To cash account,	2,145 51½
To commission account,	423 29½
To expense account,	14,734 26
Loss account,	13,398 18
To agents accounts,	275 05½
	$ 125,063 38¾

CREDITS.

By premium account,	$ 122,033 77¼
By extra premium account,	323 49
By premium on merchandize,	1,262 12½
By policy account,	1,036 00
By policy on merchandize,	30 00
By dividends on bank stock,	378 00
	$ 125,063 38¾

At a meeting of the President and Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 7th December, 1848, the President of this Company submitted to the Board, a statement of the condition, progress and affairs of said Company, which, being read, examined and approved by the Board, was adopted; and the President is directed to furnish a copy of the same to the General Assembly of this State, agreeably to the requisition of the 22d section of the charter of this Company.

OFFICE OF THE KY. AND LOUISVILLE MUTUAL INSURANCE CO.
Louisville, December 26, 1848.

SIR:

In obedience to the requisition of the 22d section of the charter of this Company, and the order of the Board, I herewith transmit to you the foregoing report of the condition, progress and affairs of this Company, from the commencement of their business up to and including the 30th of November last, and request that you will lay the same before the body over which you preside.

I have the honor to be, very respectfully, &c.,

WILLIS STEWART, *Pres't.*

Hon. GWYN PAGE,
Speaker of the House of Representatives.

Mr. Rhea read and laid on the table the following resolution, viz:

Whereas, a vacancy exists in the senatorial representation of Kentucky, in the Senate of the United States, by the resignation of the Hon. John J. Crittenden—Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That they will go into an election of Senator this day at 12 o'clock, to supply said vacancy.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, the said resolution was read and concurred in.

A message was received from the Senate, announcing their concurrence in the resolution from the House, fixing a time for the election of a United States Senator in Congress.

Mr. Towles moved the following resolution, viz:

1. *Resolved*, That all that portion of the Governor's message, which relates to the subject of a Convention to frame a new Constitution, be referred to the select committee, to which the leave to bring in a bill for that purpose has already been committed.

2. That all that portion of the said message, which relates to a Common School System, be referred to the committee on Education.

3. That all that portion which relates to the public debt, be referred to the committee upon the Sinking Fund.

4. That all that portion which relates to the Board of Internal Improvement, be referred to the committee on Internal Improvement.

5. That all that portion which relates to a Geological Survey of the State, be referred to a select committee.

6. That all that portion which relates to the affairs of the Penitentiary, be referred to the committee upon the Penitentiary.

7. That all that portion which relates to the state of the public Treasury, be referred to the committee of Ways and Means.

8. That all that portion which relates to the message of the President of the United States, and our relations with the General Government, be referred to the committee on Federal Relations.

Which being twice read were adopted.

Mr. Beaty offered the following resolution, viz:

Resolved, That the committee on Education be instructed to enquire into the propriety and expediency of reporting a bill authorising the Superintendent and Board of Education to pay out of the interest of the school fund, to each of the teaching school districts, throughout the State, that taught a school according to law, in the year 1848, for each child of the lawful schoolage in said districts, the sum of fifty cents; and that they further be instructed to report a bill authorising the collection and disbursing of the two cents additional tax on each $100 value of the taxable property in the State, for Common School purposes.

Which was adopted.

Mr. Hughes moved the following resolution, viz:

Resolved, That Jos. Gray, Sergeant-at-Arms of this House, be authorised to employ his son Robert as his assistant during the present session.

Which was adopted.

Mr. Hardin read and laid on the table the following preamble and resolutions, viz:

WHEREAS, It is represented to the Legislature, that Major General Zachary Taylor will pass through the State of Kentucky on his way to Washington. And, whereas, by his long and brilliant career as a soldier and patriot, and his many high and manly virtues as a citizen, he has not only added new lustre to the American name, but has, in an especial manner, reflected honor upon this Commonwealth, as the school and nursery of his early character, and towards which he has at all times professed a kind and grateful recollection. And, whereas, it behooves every free commonwealth to do honor to such of her children as by their noble virtues and achievements have reflected honor upon her. Therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That Major General Zachary Taylor be and he is hereby respectfully and cordially invited to visit the Capital of this State, and receive the hospitalities and congratulations of the representatives of the people.

2. *Resolved further*, That a joint committtee of five from the House of Representatives and three from the Senate be appointed to receive and welcome our distinguished guest.

3. *Be it further resolved*, That His Excellency, the Governor, be requested to forward the above preamble and resolutions to Major General Zachary Taylor.

On motion of Mr. Hughes,

Resolved, That C. C. Cole be permitted to occupy a seat in this Hall as a reporter for the Commonwealth; Wm. Tanner as reporter for the Yeoman, and T. Gunter and E. S. Brown, as reporters for the Kentucky Register.

Mr. Bledsoe moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of exempting all white males, over the age of 60 years, from paying poll tax, and that they report by bill or otherwise.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Anderson—1. A bill to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle.

On motion of Mr. J. W. Davis—2. A bill to regulate the taking of depositions.

On motion of Mr. W. Daviess—3. A bill to establish an election precinct in the county of Mercer.

On motion of Mr. J. W. Davis—4. A bill the better to secure the rights of jury men.

On motion of Mr. Conklin—5. A bill ordering the payment of the amount due the Commissioners on the road from Bowlinggreen to the mouth of Salt River.

On motion of Mr. Butler—6. A bill to incorporate the Warsaw Turnpike Company.

On motion of Mr. Hite—7. A bill to prescribe the mode of paying the members of the Senate and House of Representatives.

On motion of Mr. Wilson—8. A bill further to protect the rights of married women.

On the motion of Mr. Underwood—9. A bill to establish two election precincts in the county of Warren.

On motion of Mr. Bledsoe—10. A bill allowing an additional Justice of the Peace to Cumberland and Clinton counties.

On motion of Mr. Chenault—11. A bill to permit Thomas Lillard to bring into this State a slave.

On motion of Mr. Gordon—12. A bill to establish an additional precinct in Livingston county.

On motion of same—13. A bill to abolish the whole Militia system of Kentucky.

On motion of Mr. Dodds—14. A bill for the benefit of Mary Simpson and others.

On motion of J. W. Davis—15. A bill to establish an additional election precinct in Greenup county.

On motion of Mr. Barlow—16. A bill for the benefit of William Sims, of Monroe county.

On motion of Mr. Dunlap—17. A bill to establish an additional election precinct in the county of Garrard.

On motion of Mr. Hite—18. A bill revising and amending the laws connected with the Treasurer of this State.

On motion of Mr. Barnes—19. A bill to change the time of holding the Estill County Court.

On motion of Mr. Houston—20. A bill for the benefit of Stilwell H. Wakefield, of Spencer county.

On motion of Mr. Bledsoe—21. A bill providing for the compensation of jurors before Justice of the Peace.

On motion of Mr. Towles—22. A bill to repeal an act, entitled, an act to amend the revenue laws, approved March 10th, 1843, imposing a tax on pleasure carriages, gold and silver watches, &c.

On motion of Mr. Word—23. A bill to change the name of Elizabeth Ellen Swan to that of Elizabeth Ellen Eve.

On motion of Mr. Bibb—24. A bill to enlarge the Elk Fork Constables District, in Todd county.

On motion of Mr. Gordon—25. A bill exempting the citizens of Kentucky, of the age of 45, from duty on the public roads.

On motion of Mr. Records—26. A bill for the benefit of the heirs of Richard Lowe, dec'd.

On motion of Mr. Hughes—27. A bill for the benefit of the Mechanics of Union county.

On motion of Mr. Thomas—28. A bill to change the name of Mary Eden to that Mary Wilkinson.

On motion of Mr. Whitsett—29. A bill for the benefit of Ralph F. Wood, of Barren county.

On motion of Mr. Hughes—30. A bill to regulate the mode of electing Trustees of the town of Morganfield.

On motion of Mr. Chenault—31. A bill for the benefit of Peter Estill, of Madison county.

On motion of Mr. J. Stuart—32. A bill for the benefit of the infant children of Thomas Payne.

On motion of Mr. Towles—33. A bill to increase the jurisdiction of Justices of the Peace in civil cases.

On motion of Mr. Barnes—34. A bill for the benefit of the Mechanics of Estell and Owsley counties.

On motion of Mr. Dunlap—35. A bill for the benefit of the heirs of Hiram Beazly, dec'd.

On motion of Mr. McLarning—36. A bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

On motion of Mr. Cargill—37. A bill for the benefit of the Sheriff of Graves county.

On motion of Mr. Johnson—38. A bill to change the mode of working the roads in Bullitt county.

On motion of Mr. Bledsoe—39. A bill for the benefit of the Sheriff of Cumberland county.

On motion of Mr. Underwood—40. A bill to amend the law in relation to forcible entry and detainer.

On motion of Mr. Barbee—41. A bill to change the name of Lutanus Manasus Jefferson Branch Young to that of Henry Young.

On motion of Mr. Harreld—42. A bill to legalize the appointment of the Clerk of the Circuit Court of Butler county and his proceedings.

On motion of Mr. Hite—43. A bill to increase the revenue of this State.

On motion of Mr. Rhea—44. A bill for the benefit of Boone Thomas, of Logan county.

On motion of Mr. Thomas—45. A bill giving to County Courts appellate jurisdiction in chancery causes, tried before Justices of the Peace.

On motion of Mr. Rhea—46. A bill for the benefit of Jonathan W. Rice, of Logan county.

On motion of Mr. J. W. Davis—47. A bill to regulate the granting of divorces.

On motion of Mr. Word—48. A bill for the benefit of the town of Barboursville, in Knox county.

On motion of Mr. Ford—49. A bill for the benefit of the town of Hartford, in Ohio county.

On motion of Mr. Barbee—50. A bill for the benefit of Samuel Hogan, of Taylor county.

Ordered, That Messrs. Anderson, Chenault and Grundy, prepare and bring in the 1st; the committee on the Judiciary the 2d, 4th, 19th, 20th, 21st, 23d, 26th, 28th, 45th, 47th and 49th; the committee on Privileges and Elections the 3d, 12th, 15th and 17th; Messrs. Conklin, Underwood, Vertress, J. Stuart and Harreld, the 5th; the committee on Internal Improvement the 6th, 25th and 38th; Messrs. Hite, Anderson and Hardin, the 7th; Messrs. Wilson, Bassett, Logan and Vaughan, the 8th; Messrs. Underwood, Bibb and Eubank, the 9th; Messrs. Bledsoe, Barlow and Hite, the 10th; Messrs. Chenault, Anderson and Dunlap, the 11th; the committee on Military Affairs the 13th; the committee on Ways and Means the 14th, 18th, 37th and 50th; Messrs. Barlow, Bledsoe and Butler, the 16th; Messrs. Towles, Noe and Bledsoe, the 22d; Messrs. Bibb, Underwood and Rhea, the 24th; Messrs. Hughes, Towles and Gordon, the 27th; Messrs. Whitsett, Crenshaw and Barlow, the 29th; Messrs. Hughes, Hite and Towles, the 30th; Messrs. Chenault, Jones and Napier, the 31st; Messrs. J. Stuart, Pope and McClarty, the 32d; Messrs. Towles, Barlow and J. Stevens, the 33d; Messrs. Barnes, Smith, Speed and Miller, the 34th; Messrs. Dunlap, Chenault and Anderson, the 35th; Messrs. McLarning, Towles and Hughes, the 36th; Messrs. Bledsoe, Crenshaw and Beaty, the 39th; Messrs. Underwood, Harrison and J. Davis, the 40th; Messrs. Barbee, Barlow and Vaughan the 41st; Messrs. Harreld, Underwood, Ford and Conklin the 42d; Messrs. Hite, Hughes and Swan, the 43d; Messrs. Rhea, Ewing and Bibb, the 44th; Messrs. Rhea, J. Stevens and J. Davis, the 46th; and Messrs. Word, Beaty and Wood, the 48th.

On motion of Mr. W. Daviess,

Resolved, That all former members of the Kentucky Legislature, visiting the Capital, are hereby invited to a seat within the bar of this House.

Mr. Robert G. Lewis the member returned to serve in this House from the county of Fleming, appeared, and having taken the oaths prescribed by the Constitution of the United States and the Constitution and Laws of this State, took his seat.

Ordered, That Mr. Hughes inform the Senate that this House is now ready to proceed to the election of a Senator in Congress, to fill the vacancy occasioned by the resignation of John J. Crittenden.

A message was received from the Senate, by Mr. Walker, informing this House that they were ready to proceed with said election.

Mr. Robertson nominated Mr. Thomas Metcalfe, and Mr. Barlow nominated Mr. Lazarus W. Powell, and after interchanging nominations the House proceeded to take the vote, which stood thus:

Those who voted for Mr. Metcalfe, were—

Mr. Speaker,
Messrs. Alexander,
Anderson,
Barnes,
Beaty,
Best,
Bibb,
Bickley,
Blair,
Bledsoe,
Boarman,
Chenault,
Conklin,
Crenshaw,
Dunlap,
Eubank,
Eversole,
Ewing,
Ford,
Garred,
Gordon,
Hardin,
Harreld,
Harrison,
Hayden,
Hite,
Holladay,
Hughes,
Huston,
Jackson,
Jefferson,
Jones,
Lewis, D. P.
Lewis, R. G.
Magruder,
McClarty,
McFarland,
McLarning,
Miller,
Morris,
Murphy,
Napier,
Pope,
Rhea,
Robertson,
Rodman,
Smith,
Speed,
Spurr,
Stevens, S.
Stewart, M.
Stuart, J.
Swan,
Terrill,
Thomas,
Towles,
Turner,
Underwood,
Vertress,
Whitsett,
Woods,
Word—62.

Those who voted for Mr. Powell, were—

Messrs. Barbee,
Barlow,
Bassett,
Butler,
Cargill,
Cottle,
Daviess, W.
Davis, J. W.
Davis, J.
Dodds,
Duvall,
Garland,
Grundy,
Harris,
Headley,
Johnson,
Leonard,
Logan,
Lucas,
McConnell,
Newell,
Noe,
Records,
Reiley,
Shawhan,
Sherwood,
Stevens, J.
Vaughan,
Vickers,
Wallace,
Wilson—31.

Messrs. Robertson, Barlow and Bledsoe were appointed a committee on the part of this House to act in conjunction with a committee on the part of the Senate, to compare the joint vote and report the result.

After a short time Mr. Robertson, from said committee, reported that the joint vote stood thus:

For Mr. Metcalfe, - - - - - - 88
For Mr. Powell, - - - - - - 38

And then the House adjourned.

THURSDAY, JANUARY 4, 1849.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to repeal an act to amend the road law in the county of Trimble, approved January 18, 1848.

And had adopted a resolution inviting Gen. Zachary Taylor to visit the Capital of Kentucky.

1. Mr. Noe presented the petition of Minerva O'Reilly, praying to be divorced from her husband, Francis O'Reilly.

2. Also, the petition of Malachi Cooper, praying the passage of a law authorizing a change in the State road from Canton to Waidsboro'.

3. Mr. Jones presented the petition of Mary Ann Carpenter, praying a divorce from her husband, Joshua Carpenter.

4. Mr. Rodman presented the petition of sundry citizens of Larue county, praying the establishment of an election precinct in said county.

5. Mr. Rhea presented the petition of George W. Lewis, praying that additional compensation be made him for distributing public books.

6. Mr. Harris presented the petition of sundry citizens of Pike county, praying that an additional Justice of the Peace be allowed to said county.

7. Mr. Johnson presented the petition of sundry citizens, praying a repeal of the charter of Augusta College.

8. Mr. Thomas presented the petition of sundry citizens, praying an amendment to the laws for the protection of religious worship.

9. Mr. Cargill presented the petition of C. P. and Elizabeth Miller, praying to be divorced from each other.

10. Mr. Dohoney presented the petition of James O. Nelson, praying to be divorced from his wife, Nancy Nelson.

11. Mr. Underwood presented the petition of Henry S. Brough, praying to be divorced from his wife, Lucy Brough.

12. Also, the petition of John Dean, praying to be divorced from his wife, Mary Ann Dean.

13. Also, the petition of Asa B. Gardner, praying to be divorced from his wife, Jane Gardner.

14. Also, the petition of William W. Merritt, praying permission to import into this State a slave.

15. Mr. J. W. Davis presented the petition of sundry citizens of Greenup county, praying the establishment of a ferry across the Ohio river opposite Portsmouth.

16. Also, the petition of sundry citizens praying for the same object.

17. Also, the petition of sundry citizens, praying for the same object.

18. Mr. Dodds presented the petition of William Thrweat, praying to be divorced from his wife, Martha Ann Thrweat.

19. Mr. Harris presented the petition of Louisa Green, praying to be divorced from her husband, William Green.

20. Also, the petition of Abigail Wolford, praying to be divorced from her husband, George Wolford.

21. Also, the petition of Thomas D. Honaker, praying permission to import into this State certain slaves.

22. Mr. J. W. Davis presented the petition of sundry citizens of Green-up county, praying a repeal of all laws requiring the performance of militia duty.

23. Mr. Robertson presented the petition of William, Edward P. and Henry Johnson, committee of Darwin Johnson, a lunatic, praying the confirmation of a sale of certain real estate of said lunatic.

24. Also, the petition of James Moody, praying that compensation be made him for expenses incurred in procuring witnesses in a prosecution against Marshall H. Adcock.

25. Mr. Barlow presented the petition of sundry citizens, praying a repeal of the charter of Augusta College.

26. Mr. Dohoney presented the petition of sundry citizens, praying for the same object.

27. Mr. Logan presented the petition of sundry citizens of Trimble county, praying for the passage of a law to prevent the destruction of fish in the Little Kentucky river.

28. Mr. Garland presented the petition of sundry citizens of Lewis county, praying an amendment to the laws for the protection of religious worship.

29. Mr. Cargill presented the petition of James R. Cargill, praying that additional compensation be made him as Commissioner of Tax for the year 1848, in Graves county.

30. Mr. Bassett presented the petition of the widow and heirs of Benjamin Tyler, deceased, praying the passage of a law authorizing the sale of certain real estate of said decedent.

31. Mr. Anderson presented the petition of Richard Merrit and Harvey Jones, praying a change of venue in the prosecution pending against them in the Washington Circuit Court, for larceny.

32. Mr. McLarning presented the petition of Sarah Ann Durrett, praying the passage of a law authorizing the sale of certain real estate of her deceased husband, Henry Durrett.

33. Also, the petition of James F. Drane, praying that permission be given him to import into this State a slave.

34. Mr. Ford presented the petition of John G. Brown, praying a divorce from his wife, Susan Ann Brown.

35. Mr. McFarland presented the petition of Ezekiel Arterberry, praying to be divorced from his wife, Tabitha Arterberry.

36. Mr. Beaty presented the petition of sundry citizens of Pulaski, Wayne and Whitley counties, praying the establishment of a new county out of parts of said counties.

37. Also, the petition of Elisha W. Lee, praying to be divorced from his wife, Louisa Lee.

38. Also, the petition of Jesse Lynch, praying a change of the name of his illegitimate children.

39. Mr. S. Stevens presented the remonstrance of sundry citizens of Whitley county, against the formation of a new county out of parts of Pulaski, Wayne and Whitley counties.

40. Mr. J. Stuart presented the petition of John Greer and others, heirs of Joseph Burch, dec'd, praying the passage of a law authorizing the sale of certain real estate of said dec'd.

41. Mr. Harris presented the petition of sundry citizens of Pike county, praying that Shelby Creek be declared a navigable stream.

42. Mr. Holladay presented the petition of Wm. A Bishop, praying a divorce from his wife, Eliza E. Bishop.

43. Mr. Dohoney presented the petition of James Breeding and Geo. W. Breeding, executors of Josiah L. Stone, dec'd, praying the passage of a law authorizing the sale of certain real estate of said dec'd.

44. Mr. Dohoney presented the petition of sundry citizens of Adair county, praying an amendment to the laws for protecting religious worship.

45. Mr. McConnell presented the petition of David Wade and Harriet J. Wade, praying that their marriage be legalized, or that said Harriet J. be divorced from her former husband Green H. Wheeler.

46. Also, the petition of John Stroud, praying to be divorced from his wife, Susan Stroud.

47. Also, the petition of Delia Atterberry, praying the passage of a law authorising a sale of the interest of her infant children in a tract of land.

48. Mr. Napier presented the petition of sundry citizens of Lincoln county, praying the repeal of the charter of Augusta College.

49. Mr. Bibb presented the petition of N. M. Tandy, guardian of Sarah, Edward, James and Martha Haley, praying the passage of a law authorizing him to sell certain real estate belonging to his wards.

50. Also, the petition of Nancy Murphy, praying a divorce from her husband, William Murphy.

51. Mr. Morris presented the petition of sundry citizens of the town of Portland, praying the passage of a law increasing the powers of the Trustees of said town.

52. Mr. Huston presented the petition of Maria Chapman, praying a divorce from her husband, Benjamin Chapman.

53. Mr. Wallace presented the petition of Lucinda Hicklin, praying to be divorced from her husband, Avery M. Hicklin.

54. Also, the petition of Rebecca Aaron, praying to be divorced from her husband, James Aaron.

55. Mr. Vertress presented the petition of sundry citizens of Hardin county, praying the establishment of a new county out of parts of said county, and the counties of Meade, Bullitt and Jefferson.

56. Mr. Word presented the petition of sundry citizens, praying the repeal of the charter of Augusta College.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 8th, 9th, 10th, 11th, 12th, 13th, 18th, 19th, 20th, 28th, 34th, 35th, 37th, 42d, 45th, 46th, 50th, 52d, 53d and 54th, to the committee on Religion; the 2d, 15th, 16th, 17th, 36th, 38th, 39th and 55th, to the committee on Propositions and Grievances; the 4th to the committee on Privileges and Elections; the 5th and 29th to the committee on Claims; the 6th, 7th, 14th, 21st, 23d, 24th, 25th, 26th, 30th, 31st, 32d, 33d, 40th, 43d, 44th, 47th, 48th, 49th, 51st and 56th, to the committee on the Judiciary; the 22d to the committee on Military Affairs; and the 27th and 41st, to the committee on Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Alexander—1. A bill to amend the several acts to suppress dueling.

By Mr. Anderson—2. A bill to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle.

By Mr. Wilson—3. A bill further to protect the rights of married women.

By Mr. Chenault—4. A bill to authorize T. M. Lillard to bring a negro boy into this State.

By same—5. A bill for the benefit of Peter Estill.

By Mr. J. Stuart—6. A bill for the benefit of the infant children of Thos. Payne.

By Mr. Conklin—7. A bill to authorize the payment of the amount due to the commissioners of the road from Bowlinggreen to the mouth of Salt river.

By Mr. Towles—8. A bill to amend the revenue laws.

By Mr. Bibb—9. A bill to enlarge the Elk Fork Constable's District, in Todd county.

By Mr. Underwood—10. A bill to establish two additional election precincts in Warren county.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 5th, 6th, 9th and 10th were severally ordered to be engrossed and read a third time, (the 2d on Thursday next,) the 3d was referred to the committee on the Judiciary; the 4th to the committee on Propositions and Grievances; the 7th to the committee on Claims; and the 8th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st, 5th, 6th, 9th and 10th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Davis read and laid on the table the following resolutions, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That for the distinguished services of our fellow-citizen, Major General William O. Butler, and as a testimonial thereof, and of the great confidence that Kentucky feels towards him, as a gentleman and a soldier, that he be invited to visit the capital of Kentucky and meet his late companion in arms, Major General Zachary Taylor, the President elect, on his expected visit.

Resolved, That a joint committtee of five from the House of Representatives and three from the Senate be appointed to receive and welcome our much loved fellow-citizen.

Resolved, That His Excellency, the Governor of this Commonwealth, be respectfully requested to forward a copy of the above resolutions to General Butler.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with, they were twice read and unanimously concurred in.

On motion of Mr. J. W. Davis,

Ordered, That Messrs. Groesbeck and Butler have leave of absence for an indefinite period.

Mr. Whitsett moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement, at his earliest leisure, furnish this House with a statement of the condition of the Bardstown and Glasgow turnpike road; the number of miles graded and metaled; the number of miles yet to finish, and the probable cost of the same.

Which was adopted.

The Speaker laid before the House the annual report of the Keeper of the Penitentiary, which is as follows:

OFFICE KENTUCKY PENITENTIARY,
Frankfort, Jan. 4, 1849.

SIR: In obedience to the requisitions of law, I herewith submit my annual report, showing the condition of this Institution on the 1st day of December, 1848, which you will please lay before the House of Representatives. I have the honor to be,

Very respectfully, your obedient servant,
N. CRAIG,
Agent and Keeper Kentucky Penitentiary.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 300 copies of said report, for the use of the members of this House.

The Speaker laid before the House the report of Peter Dudley, Treasurer, which is as follows:

TREASURY DEPARTMENT.
Frankfort, January 3, 1849.

I enclose a general statement of the operations and condition of the Treasury, since I have had charge of the Department, to the 30th of November, inclusive. The direct connection of the Sinking Fund (proper,) with the Treasury makes it necessary for a more perfect understanding of the Treasurer's statements, to annex a transcript of the Sinking Fund account with the Treasurer. I have the honor to be,

Very respectfully, &c.,
P. DUDLEY, *Treasurer.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*

Mr. Vertress moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement report, at an early day, to this House, the state of the turnpike road from Louisville to Nashville, by way of the mouth of Salt river, Elizabethtown and Bowlinggreen; and state how much of each section thereof is finished; how much remains unfinished; and how much it will require to finish said road.

Which was adopted.

Mr. Records moved the following resolutions, viz:

WHEREAS, the general law, establishing a system of Common Schools in this State, is somewhat intricate, and has been rendered still more so by various amendments: and whereas, it is indispensable for the interest of the State, that a general system of Common Schools, based upon the simplest principles of which the nature of the subject will admit, should be established without delay, in order to make ample provision for the appropriation of the School Fund now on hand, and the additional funds which will soon be on hand, through the channel of increased taxation. Therefore,

Resolved, That the committee on Education be instructed to enquire into the expediency of a complete revision of the Common School laws of this State, and whether it is not practicable to make some amendments to the present plan or system, which will render it more simple and practical.

Resolved, That the said committee be further specially instructed to inquire into the expediency of so re-modeling the present system as to provide, by law, for the distribution of the school funds now subject to appropriation, and which may hereafter be subject to appropriation, to the several counties in proportion to the number of children between the ages of five and seventeen years, to be distributed to individual schools, formed and reported as the law may direct, without regard to geographical divisions by districts.

Which were adopted.

Mr. Pope moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to report to this House the number of Locks and Dams required to extend and complete the slackwater navigation of the Kentucky river to the Three Forks; also, their probable cost, and amount of dividends to be derived therefrom, in the event of their construction.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Ewing—1. A bill to incorporate the Russellville and Nashville Turnpike Road Company.

On motion of same—2. A bill to regulate the action of ejectment.

On motion of Mr. Lucas—3. A bill for the benefit of William Webb, of Grant county.

On motion of same—4. A bill for the benefit of Edward McClure, of Grant county.

On motion of Mr. Holladay—5. A bill for the benefit of the mechanics of Nicholas county.

On motion of Mr. Garland—6. A bill for an appropriation to Kinnacanick.

On motion of Mr. Pope—7. A bill to authorize a survey of a route for a Railroad from Louisville to the Tennessee line, in the direction of Nashville.

On motion of Mr. Alexander—8. A bill for the benefit of the Sheriff of Bourbon county.

On motion of Mr. Rhea—9. A bill to change the name of Barsheba Mills, of Logan county.

On motion of Mr. Speed—10. A bill to provide for a geological survey of Kentucky.

On motion of Mr. Anderson—11. A bill to change the names of Eliza Durham and Eliza Tewmy.

On motion of Mr. Turner—12. A bill to improve the navigation of the Kentucky river above slackwater.

On motion of Mr. McLarning—13. A bill to amend the penal laws.

On motion of Mr. Thomas—14. A bill for the benefit of James Clarke, late Sheriff of Casey county.

On motion of Mr. Conklin—15. A bill to revise the statute laws of Kentucky.

On motion of Mr. Crenshaw—16. A bill to exempt flat boats, &c., starting above the influence of slackwater, from paying toll at the locks on Green and Barren rivers.

On motion of Mr. Harris—17. A bill to change the place of voting in the Beaver precinct, in Floyd county.

On motion of Mr. Records—18. A bill to repeal the act amending the road law of Pendleton county, and for other purposes.

On motion of same—19. A bill for the protection of the public property on Licking river, and for other purposes.

On motion of same—20. A bill for the benefit of Martin Fugate, late Sheriff of Pendleton county.

On motion of Mr. Chenault—21. A bill for the benefit of Buford E. Allen, of Fayette county.

On motion of Mr. Dunlap—22. A bill divorcing William Young from Mary Young.

On motion of Mr. Towles—23. A bill to authorize the Trustees of the town of Henderson to sell certain public grounds belonging to said town.

On motion of Mr. Hughes—24. A bill to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.

On motion of Mr. Gordon—25. A bill modifying and amending the chancery practice.

On motion of Mr. Dodds—26. A bill for the benefit of John J. Everett, Jailer of Marshall county.

On motion of Mr. Garred—27. A bill for the benefit of J. W. Hawes, of Lawrence county.

On motion of Mr. J. Stuart—28. A bill for the benefit of the heirs of Dennis D. Cooms.

On motion of Mr. Hite—29. A bill to regulate the mode of taking depositions of non-resident witnesses in chancery suits.

On motion of Mr. Blair—30. A bill to repeal an act, entitled, an act to prohibit the County Court of Fleming from subscribing stock on behalf of the county, in works of Internal Improvement.

On motion of Mr. Morris—31. A bill for the benefit of the Adas Israel, or community of Israel, in the city of Louisville.

On motion of Mr. Gordon—32. A bill to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2, 1833.

On motion of Mr. Spurr—33. A bill to provide for a survey of a railroad from Lexington to the mouth of Big Sandy.

On motion of Mr. Crenshaw—34. A bill to regulate the service of process upon absconding debtors.

Ordered, That Messrs. Ewing, Rhea and Bibb prepare and bring in the 1st; the committee on the Judiciary the 2d, 15th, 25th, 32d and 34th; the committee on Propositions and Grievances the 3d and 4th; Messrs. Holladay, Hughes and Towles the 5th; the committee on Internal Improvement the 6th, 12th and 16th; Messrs. Pope, Underwood, Vertress, Rhea, Barlow and Rodman the 7th; Messrs. Alexander, D. P. Lewis and Pope the 8th; Messrs. Rhea, Harreld and Headley the 9th; Messrs. Speed, Pope, Beaty and Hardin the 10th; Messrs. Anderson, Turner and Boarman the 11th; Messrs. McLarning, Harrison and Ewing the 13th; Messrs. Thomas, Anderson, Dunlap and Jones the 14th; Messrs. Harris, Davis and Dodds the 17th; Messrs. Records, Reiley and Best the 18th; Messrs. Records, Newell and Murphy the 19th; Messrs. Records, Newell and Sherwood the 20th; Messrs. Chenault, Turner and Boarman the 21st; the committee on Religion the 22d; Messrs. Towles, Noe, and Hughes the 23d; Messrs. Hughes, Gordon, Hite, Holladay and Towles the 24th; Messrs. Dodds, Harris and Cargill the 26th; Messrs. Garred, J. W. Davis and Garland the the 27th; Messrs. J. Stuart, Miller and Hite the 28th; Messrs. Hite, J. Stuart and Hardin the 29th; Messrs. Blair, Miller, Pope and Alexander the 30th; Messrs. Morris, Pope and Alexander the 31st; and Messrs. Spurr, Robertson, Pope, Underwood, Rhea and Barlow the 33d.

A bill from the Senate, entitled, an act to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The resolution from the Senate, inviting General Zachary Taylor to visit the capital of Kentucky, was then taken up.

The said resolution was then amended, and as amended, was twice read and unanimously concurred in.

Mr. Spurr moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer of this Commonwealth be required to print, in a cheap legible form, 50,000 copies of the existing Constitution of Kentucky, for distribution among the people.

And the question being taken on adopting said resolution, it was decided in the negative.

Mr. Barlow read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on the — day of February next, they will adjourn without day.

Mr. Noe read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five from the House and three from the Senate be appointed to visit Transylvania University and the Lunatic Asylum, and that they be authorized to send for persons, papers and records, and make report.

And then the House adjourned.

FRIDAY, JANUARY 5, 1849.

A message was received from the Senate announcing that they had passed bills of the following titles, viz:

An act to change the name of William Cobb.

An act for the benefit of the Sheriff of Green county.

An act for the benefit of Samuel Ray, late Sheriff of Monroe county.

1. Mr. Huston presented the petition of Samuel Dews, praying that permission be given him to build a mill dam across Salt River.

2. Mr. Newell presented the petition of Robert Williams, praying that compensation be made him for losses sustained by him as a contractor on Licking river, by reason of the suspension of the work on said river.

3. Mr. McLarning presented the petition of James C. Gourley, praying to be divorced from his wife, Martha Gourley.

4. Also, the petition of George H. Missemore, praying to be divorced from his wife, Margaret C. Missemore.

5. Mr. Blair presented the petition of sundry citizens of Fleming county, praying an amendment to the laws for the protection of religious worship.

6. Mr. Garred presented the petition of sundry citizens, praying a repeal of the charter of Augusta College.

7. Mr. Dohoney presented the petition of John James, praying that the Adair County Court be authorised to make an appropriation for his support without requiring him to be kept at the poor house.

8. Also, the petition of Eliza Spoon, praying that the Adair County Court be authorised to make an appropriation for her support without requiring her to be kept at the poor house.

9. Also, the petition of Mark Thompson, praying that the Adair County Court be authorised to make an appropriation for his support without requiring him to be kept at the poor house.

10. Mr. Anderson presented the petition of Jonas Durham, of Boyle county, praying the passage of a law restoring him to the privileges of an unmarried man.

11. Mr. Ford presented the petition of sundry citizens of the town of Hartford, praying an amendment to the laws regulating said town.

12. Mr. Cottle presented the petition of Alexander and Harris Harrold, and Edwin Combs, praying a change of venue in a prosecution pending in the Breathitt Circuit Court against them for larceny.

13. Also, the petition of Caleb Cash and Robert Wilson, praying that compensation may be made them for conveying a lunatic to the Asylum at Lexington.

14. Mr. Wallace presented the petition of William C. Carnahan, praying to be divorced from his wife, Eliza C. Carnahan.

15. Mr. Riley presented the petition of Conrad Havens, praying that compensation be made him for taking care of Lucy Bradford, a lunatic.

16. Also, the petition of Frederick Gosney, praying that compensation be made him for taking care of Greenberry Gosney, a person of unsound mind.

Which were received, the reading dispensed with and referred—the 1st and 2d to the committee on Internal Improvement; the 3d, 4th, 5th, 6th, 10th and 14th, to the committee on Religion; the 7th, 8th and 9th to Messrs. Dohoney, Barbee, Barlow and Johnson; the 11th to the committee on Propositions and Grievances; the 12th to the committee on the Judiciary; and the 13th, 15th and 16th, to the committee on Claims.

The Speaker laid before the House the report of the First Auditor and also a supplemental report, which is as follows, viz:

AUDITOR'S OFFICE,
Frankfort, Jan. 5th, 1849.

SIR: I enclose you the regular annual report of this Department; also, a supplemented report from the end of the fiscal year to the 16th ultimo.

Very Respectfully,
JNO. B. TEMPLE, *Auditor.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Reports—see Legislative Documents.*]

A message was received from the Governor, by Mr. Brown, Secretary of State, which is as follows, viz:

EXECUTIVE OFFICE,
January 5th, 1849.

SIR: I have the honor herewith to transmit to you, to be laid before the House of Representatives, the report of the Commissioners, appointed

by my predecessor, Governor Owsley, to settle the accounts of James Davidson, late Treasurer of Kentucky.

With great respect, yours, &c.,
J. J. CRITTENDEN.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

The Speaker laid before the House the annual report of the President of the Board of Internal Improvement, which is as follows, viz:

BOARD OF INTERNAL IMPROVEMENT OFFICE,
January 5th, 1849.

SIR: The Board of Internal Improvement desire through you to submit their annual report to the House of Representatives of the General Assembly of Kentucky. With very great respect, yours, &c.,
O. G. CATES.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. James Collins the member returned to serve in this House from the county of Russell, appeared, and having taken the oaths prescribed by the Constitution of the United States and the Constitution of this State, took his seat.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Underwood—1. A bill to legalize the appointment of the Clerk of the Butler Circuit Court.

By Mr. Pope—2. A bill for the benefit of Andrew J. Banton.

By Mr. Morris—3. A bill for the benefit of the Adas Israel or community of Israel of the city of Louisville.

By Mr. Rhea—4. A bill to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.

By Mr. Alexander—5. A bill for the benefit of the Sheriff of Bourbon county.

By Mr. J. Stuart—6. A bill for the benefit of the heirs of Dennis D. Cooms.

By Mr. J. W. Davis—7. A bill to change an election precinct in the county of Floyd.

By Mr. Barbee—8. B bill for the benefit of Lutanus Manassus Jefferson Branch Young.

By Mr. Hite—9. A bill to prescribe the mode of taking the depositions of non-resident witnesses, and witnesses out of this State to be read in chancery causes.

By Mr. Bledsoe—10. A bill to allow additional Justices to Cumberland and Clinton counties.

By Mr. Thomas—11. A bill for the benefit of James Clarke, late Sheriff of Casey county.

By Mr. Hughes—12. A bill to amend an act, entitled, an act regulating the modes of settling the accounts of executors, administrators and guardians, approved February 24, 1834.

By Mr. Dodds—13. A bill for the benefit of John J. Everett, Jailor of Marshall county.

By Mr. J. W. Davis—14. A bill for the benefit of John W. Hawes, of Lawrence county.

By Mr. Chenault—15. A bill for the benefit of Bedford E. Allen, of Fayette county.

By Mr. Towles—16. A bill to increase the jurisdiction of Justices of the Peace.

By Mr. Rhea—17. A bill for the benefit of Jonathan W. Rice, of Logan county.

By Mr. Records—18. A bill to amend an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

By Mr. Underwood—19. A bill in relation to the warrant of forcible entry and detainer.

By Mr. Records—20. A bill for the benefit of Martin Fugate, late Sheriff of Pendleton county.

By Mr. Hite—21. A bill to prescribe the mode of paying the members of the Senate and House of Representatives.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, 13th, 14th and 18th were severally ordered to be engrossed and read a third time; the 2d, 9th, 12th, 16th, 19th and 20th were referred to the committee on the Judiciary; the 15th and 17th to the committee on Propositions and Grievances; and the 21st to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 10th, 11th, 13th, 14th and 18th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the House the annual report of the Superintendent of Public Instruction, which is as follows, viz:

LEXINGTON, *January* 4, 1849.

SIR: I have the honor to communicate, herewith, the annual report on the School System of this State, which it is my duty to make to the House of Representatives. Very respectfully,

R. J. BRECKINRIDGE,
Superintendent of Public Instruction.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 5,000 copies of said report, for the use of this House.

On motion of Mr. J. W. Davis,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of the petition presented by him, on yesterday, from sundry citizens of Greenup county, for a ferry across the Ohio river opposite Portsmouth, and that the same be referred to Messrs. J. W. Davis, Butler and Towles.

Bills from the Senate of the following titles, viz:

An act to change the name of William Cobb.

An act for the benefit of the Sheriff of Green county.

An act for the benefit of Samuel Ray, late Sheriff of Monroe county.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Johnson read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to order thirty salutes to be fired on the 8th of January, in honor of the victory gained by the American army, under Major General Jackson, against the invading British forces under Gen. Packenham, on the 8th of January, 1815.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Mr. Grundy moved the following as an amendment to said resolution, viz:

And that he be requested to cause to be fired a salute of thirty guns on the 22d and 23d days of February, in honor of the birth day of the father of his country, and of the victory obtained on those days by the American army under the command of Major General Z. Taylor, composed chiefly of volunteer troops, and in which the Kentucky troops bore a gallant and efficient part.

Which was concurred in.

Mr. J. Stuart moved further to amend said resolution by adding the following, viz:

Resolved, That a salute of thirty guns be fired in honor of Major Gen. Zachary Taylor, upon his arrival at this city, on his contemplated visit here.

Which was concurred in.

The said resolution, as amended, was then twice read and unanimously adopted.

Mr. Turner moved the following resolution, viz:

Resolved, That all petitions for divorce be referred to the committee on Religion, with instructions to report against such cases as the Courts of Justice have jurisdiction, and in all cases where the petitioners have not complied with the requisitions of the law.

And the question being taken on adopting the resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garland,	Miller,
Messrs. Anderson,	Garred,	Napier,
Barbee,	Grundy,	Records,
Barlow,	Hardin,	Reiley,
Barnes,	Harreld,	Reynolds,
Bassett,	Harrison,	Rhea,
Beaty,	Hayden,	Robertson,
Best,	Hite,	Rodman,
Blair,	Holladay,	Sherwood,
Butler,	Holton,	Smith,
Chenault,	Hughes,	Speed,
Collins,	Jackson,	Spurr,
Conklin,	Jefferson,	Stevens, S.
Cottle,	Jones,	Stuart, M.
Crenshaw,	Leonard,	Stuart, J.
Davis, J. W.	Lewis, D. P.	Swan,
Dohoney,	Lewis, R. G.	Terrill,
Dunlap,	Logan,	Turner,
Duvall,	Magruder,	Vaughan,
Eversole,	McClarty,	Whitsett,
Ewing,	McFarland,	Woods,
Ford,	McLarning,	Word—66.

Those who voted in the negative, were—

Messrs. Alexander,	Headley,	Pope,
Bibb,	Huston,	Shawhan,
Bickley,	Johnson,	Thompson,
Bledsoe,	Lucas,	Towles,
Boarman,	McConnell,	Underwood,
Cargill,	Morris,	Vertress,
Dodds,	Murphy,	Vickers,
Eubank,	Newell,	Wallace,
Gordon,	Noe,	Wilson—28.
Harris,		

Leave was given to bring in the following bills, viz:

On motion of Mr. Robertson—1. A bill to amend an act to incorporate the Lexington and Frankfort Railroad Company.

On motion of Mr. Cargill—2. A bill to change the manner of taking in the list of taxable property.

On motion of Mr. Crenshaw—3. A bill for the benefit of James G. Thompson, of Barren county.

On motion of Mr. Bledsoe—4. A bill for the benefit of C. H. Saufley.

On motion of Mr. D. P. Lewis—5. A bill to amend the act to incorporate the Cynthiana and Millersburg Turnpike Road Company, approved February 23, 1848.

On motion of Mr. Anderson—6. A bill authorizing the County Courts of Boyle and Lincoln to take stock in certain turnpike roads.

On motion of Mr. Thomas—7. A bill for the benefit of School District No. 10, in Casey county.

On motion of Mr. McLarning—8. A bill concerning the law of evidence.

On motion of Mr. Smith—9. A bill to establish an additional election precinct in Clarke county.

On motion of Mr. Bledsoe—10. A bill for the benefit of James Herreford.

On motion of same—11. A bill for the benefit of Reuben Brison.

On motion of Mr. Wallace—12. A bill to authorize David D. Moore to import a slave into this State.

On motion of Mr. Barnes—13. A bill for the benefit of David Snowden, late Sheriff of Owsley county.

On motion of Mr. Harris—14. A bill authorizing the County Court of Pike to appropriate the proceeds of the vacant lands in said county to the improvement of the streams.

On motion of Mr. Dunlap—15. A bill to change the length of time of holding the Garrard Circuit Court.

On motion of Mr. J. W. Davis—16. A bill to amend the road law of Greenup county.

On motion of Mr. Rodman—17. A bill to allow the County Court of Larue the use of the Jail of Hardin county.

On motion of Mr. Morris—18. A bill to incorporate the St. Louis and New Orleans Telegraph Company.

On motion of Mr. Boarman—19. A bill to define the duties of tax commissioners.

On motion of Mr. J. Stuart—20. A bill to amend an act, entitled, an act to amend the law concerning the probate of wills, approved February 24, 1842.

On motion of Mr. Duvall—21. A bill to authorize the County Court of Scott to take stock in the turnpike road from Georgetown to the Stamping Ground.

On motion of Mr. Magruder—22. A bill for the further protection of religious worship.

On motion of Mr. Noe—23. A bill to alter and amend the execution laws.

On motion of Mr. Hughes—24. A bill for the benefit of the Sheriff of Union county.

On motion of same—25. A bill to improve the navigation of Tradewater river.

On motion of Mr. Underwood—26. A bill to change the Bowlinggreen and Adairsville State road.

On motion of Mr. Barbee—27. A bill allowing an additional Constable to the county of Taylor.

Ordered, That Messrs. Robertson, Spurr, Pope, Morris and Holton prepare and bring in the 1st; the committee on Ways and Means the 2d and 19th; the committee on Claims the 3d; Messrs. Bledsoe, Towles and Crenshaw the 4th; the committee on Internal Improvement the 5th; Messrs. Anderson, Napier and Harrison the 6th; Messrs. Thomas, Beaty and Chenault the 7th; Messrs. McLarning, Pope and Smith the 8th; Messrs. Smith, McLarning and M. Stewart the 9th; Messrs. Bledsoe, Conklin and Ford the 10th; the committee on the Judiciary the 11th, 18th, 20th and 23d; the committee on Propositions and Grievances the 12th; Messrs. Barnes, Smith and Speed the 13th; Messrs. Harris, Newell and Dodds the 14th; Messrs. Dunlap, Chenault and Thomas the 15th; Messrs. J. W. Davis, Grundy and Barbee the 16th; Messrs. Rodman, Vertress and Swan the 17th; Messrs. Duvall, Newell and Barlow the 21st; the committee on Religion the 22d; Messrs. Hughes, Towles and Gordon the 24th; Messrs. Hughes, Wallace, Headley and Gordon the 25th; Messrs. Underwood, Napier and Ewing the 26th; and Messrs. Barbee, Grundy and J. W. Davis the 27th.

Mr. Eubank moved the following resolution, viz:

WHEREAS, according to the law, as it now stands, the farmer is prohibited from selling spirituous liquors by the gallon or less quantity, and the merchant, with a few dollars worth of goods, is authorized to sell as small a quantity as a quart, thereby making an unjust discrimination between the farmer and the mechanic. Therefore,

Resolved, That the committee on the Judiciary be instructed to bring in a bill to place the rights of the farmer and merchant on an equal footing in this particular.

Which was adopted.

Mr. Gordon read and laid on the table the following preamble and reslution, viz:

WHEREAS, under the administration of Gen. Z. Taylor, president elect of the United States, the country may expect no more vetoes of appropriations for Internal Improvements. Therefore,

Resolved, That the General Assembly of the Commonwealth of Kentucky memorialize Congress upon that subject.

And then the House adjourned.

SATURDAY, JANUARY 6, 1848.

Ordered, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. Barlow, Rodman, Headley, Bickley, Dodds, Ford and Magruder; who are to meet and adjourn from day to day, and take into consideration all Propositions and Grievances which may legally come before them, and all such matters as shall, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Butler, Cargill, Garred, M. Stewart, S. Stevens, Eversole and Miller; who are to meet and adjourn from day to day, and take into consideration and examine all returns for members returned to serve in this House during the present session of the General Assembly, and all questions concerning Privileges and Elections, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Claims be appointed: and a committee was appointed, consisting of Messrs. Rhea, Butler, D. P. Lewis, Bibb, Sherwood, Swan and Reynolds; who are to meet and adjourn from day to day, and take into consideration all Public Claims, and all other matters that may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Judiciary be appointed; and a committee was appointed, consisting of Messrs. Robertson, McLarning, Mor-

ris, Bassett, Alexander, J. W. Davis and J. Stuart; who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee are to inspect the Journal of the last session, and draw up a statement of the matters then pending and undetermined, and the progress made thereon; also, examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are now expiring, and report the same to this House, with their opinion thereon, which often ought to be renewed and continued; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Religion be appointed: and a committee was appointed, consisting of Messrs. Hite, Word, Vickers, Blair, Reiley, McFarland and Eubank; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Ways aud Means be appointed: and a committe was appointed, consisting of Messrs. Huston, Johnson, Terrill, Gordon, Duvall, Jackson and R. G. Lewis; who are to meet and adjourn from day to day, and take into consideration the revenue laws of this Commonwealth, and all other matters relative to, or connected with the fiscal concerns thereof; and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Pope, Newell, Hardin, Barnes, W. Daviess, Bledsoe and Vertress; who are to meet and adjourn from day to day, and take into consideration all matters and things relating to the improvement of the condition of the country, by roads and canals, and such others as may legally come before them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Education be appointed: and a committee was appointed, consisting of Messrs. Underwood, Beaty, Noe, Wilson, Whitsett, Spurr and Ewing; who are to meet and adjourn from day to day, and take into consideration all matters relating to Education, and the subjects connected therewith, and such others as may, from time

to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Military Affairs be appointed: and a committee was appointed, consisting of Messrs. J. Stevens, Shawhan, Napier, J. Davis, Boarman, Dunlap and Bickley, who are to meet and adjourn from day to day, and take into consideration the militia laws of this State, and all other matters in relation to the militia, and such others as may, from time to time be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Expenditures of the Board of Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Noe, Crenshaw, Thomas, Vaughan, Hayden, Woods and Best; who are to meet and adjourn from day to day, and take into consideration all matters in relation to the expenditures of money by the Board of Internal Improvement, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Harrison, Chenault, McConnell, Lucas, Harreld, Conklin and Murphy; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Penitentiary, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. Speed, D. P. Lewis, Miller, Garland, Boarman and Hayden; who are to meet and adjourn from day to day, and take into consideration all matters relating to Agriculture and Manufactures, and such others as may, from time to time, be referred to them, reporting their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on the Sinking Fund be appointed: and a committee was appointed, consisting of Messrs. Smith, Thompson, Dunlap, Jones, Leonard, Speed and Collins; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Sinking Fund, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this

House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Banks be appointed: and a committee was appointed, consisting of Messrs. Hughes, Wallace, Turner, Grundy, Murphy and Vertress; who are to meet and adjourn, from day to day, and take into consideration all matters in relation to Banks, and examine, within the first thirty days of the session, the condition of all the Banks in the State, the amount of loans in the aggregate, and the proportion to the country, towns and cities, and the amount loaned to the Directors, and their liabilities on bills of exchange; and the several amounts the fifty highest debtors owe in the cities; and to enquire into and report all facts necessary to a complete understanding of their management, and such other matters in relation thereto, as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee on the Library be appointed: and a committee was appointed, consisting of Messrs. Barbee, McClarty, Crenshaw, Bibb, Wilson, Bassett and Rodman; who are to meet and adjourn from day to day, and take into consideration all matters relating to the Public Library, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records, for their information.

Ordered, That a committee on Public Offices be appointed: and a committee was appointed, consisting of Messrs. Conklin, Holton, Dohoney, Harris, Bledsoe, Chenault and McFarland, who are to meet and adjourn, from day to day, and take into consideration all matters and things relating to the Public Offices, examine into and report their situation and condition, with their proceedings, and opinion thereon, to this House; and said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee on Printing be appointed: and a committee was appointed, consisting of Messrs. Jefferson, Barbee, Rhea, Whitsett and Dohoney; whose duty it shall be to enquire into the manner in which the Public Printing is done, the accounts for printing particularly, and such other matters as may, from time to time, be referred to them by either House, and report, as soon as practicable, what saving and improvement can be made conducive to the public interest; and they shall have power to send for persons, papers and records for their information.

Ordered, That a committee on Federal Relations be apointed: and a committee was appointed, consisting of Messrs. Towles, Anderson, Cottle, Newell, Holladay, Hardin and McClarty; who are to meet and ad-

journ, from day to day, and take into consideration all matters relating to Federal Relations, and such others as may, from time to time, be referred to them, and that they report their proceedings, with their opinion thereon, to this House; and said committee shall have power to send for persons, papers and records for their information.

Ordered, That a committee on Enrollments be appointed: and a committee was appointed, consisting of Messrs. Records, Gordon, Barnes, Wallace and Ford.

Ordered, That Mr. Records inform the Senate thereof.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, to-wit:

An act for the benefit of Peter Estill.

An act to establish two additional election precincts in Warren county.

That they had passed bills of the following titles, viz:

An act for the benefit of John Doss.

An act for the benefit of R. G. Fletcher, of McCracken county.

An act for the benefit of Asher and Augustus Gough.

An act for the benefit of Joseph Hardaway.

An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.

An act to divorce Isabel T. Humphreys.

An act to divorce Elizabeth Wilkinson.

An act for the benefit of Emanuel Wyatt.

An act for the benefit of Solomon H. Harris.

An act to change the time of holding Magistrates' Courts in Madison county.

1. Mr. Anderson presented the petition of Sarah Calvert, praying to be divorced from her husband, H. W. Calvert.

2. Mr. Underwood presented the petition of Wilson Hackney, praying permission to import into this State certain slaves.

3. Mr. Barlow presented the petition of Aaron Isenberg, praying to be divorced from his wife, Martha Isenberg.

4. Mr. Headley presented the petition of John Cox, praying a divorce from his wife, Nancy Cox.

5. Mr. Robertson presented the memorial of the Lexington and Frankfort Railroad Company, praying an amendment of the charter of said Company.

6. Mr. Wallace presented the petition of Nancy S. Cox, praying to be divorced from her husband, John Cox.

7. Mr. Rodman presented the petition of Marshall Key, guardian of the children of Peter Atherton, deceased, praying the passage of a law authorizing a sale of certain real estate of his wards.

8. Mr. Bledsoe presented the petition of William Grissom, praying to be divorced from his wife, Mary Grissom.

9. Mr. Wallace presented the petition of James D. Franks, praying to be divorced from his wife, Ruth Franks.

10. Mr. Eversole presented the petition of John and Nancy Eversole, praying to be divorced from each other.

11. Mr. Napier presented the petition of sundry citizens of Lincoln county, praying an amendment to the laws for the protection of religious worship.

12. Mr. Barbee presented the petition of Francis Graves, praying a change in the line dividing Taylor and Green counties, so as to include him in Green county.

13. Mr. Bledsoe presented the petition of sundry citizens of Cumberland county, praying a repeal of the charter of Augusta College.

14. Mr. Woods presented the petition of John Anderson, of Pulaski county, praying that permission be given him to retail spirituous liquors without license.

15. Mr. Jackson presented the memorial of sundry citizens of Laurel county, in relation to the Salt Works road in said county.

16. Mr. Eversole presented the petition of John Candill, praying that permission be given him to build a dam across the Kentucky river, near Whitesburg, in Letcher county.

17. Mr. Leonard presented the petition of Joel Herndon, guardian of the infant children of Thomas Suter, praying the passage of a law authorizing a sale of certain real estate of his wards.

18. Mr. Woods presented the petition of Moses Roberts and Maria Hale, praying that their illegitimate children may be legitamatized and their names changed.

19. Mr. Eubank presented the petition of Alfred Norris, praying permission to retail spirituous liquors without license.

20. Mr. Garred presented the petition of Thomas H. Stewart, praying the passage of a law authorizing a sale of certain real estate belonging to his infant children.

21. Mr. Holladay presented the petition of Philip F. Craycraft and wife, praying the passage of a law authorizing the conveyance of a tract of land by them, the wife of said Craycraft being under age.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th, 6th, 8th, 9th, 10th and 11th to the committee on Religion; the 2d and 12th to the committee on Propositions and Grievances; the 5th to the committee on the Sinking Fund; the 7th, 13th, 17th, 20th and 21st to the committee on the Judiciary; the 14th, 18th and 19th to the committee on Ways and Means; and the 15th and 16th to the committee on Internal Improvement.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By. Mr. Hughes—1. A bill to call a Convention to amend the Constitution of this State.

By Mr. Anderson—2. A bill to change the names of Elisha Durham and Pheby Ann Commingow.

By Mr. Blair—3. A bill to repeal an act prohibiting the County Court of Fleming from taking stock in turnpike roads in said county.

By Mr. McLarning—4. A bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

By Mr. Harris—5. A bill to empower the County Court of Pike to appropriate the vacant lands in said county to the improvement of the rivers in said county.

By Mr. Barlow—6. A bill for the benefit of Williams Sims, of Monroe county.

By Mr. Barbee—7. A bill allowing an additional Constable to Taylor county.

By Mr. Bledsoe—8. A bill for the benefit of the Sheriff of Cumberland county.

By same—9. A bill for the benefit of James Herreford.

By Mr. Underwood—10. A bill to change the Bowlinggreen and Adairsville State road.

By Mr. Robertson—11. A bill in relation to the survey of railroad of routes.

By same—12. A bill to amend an act to incorporate the Lexington and Frankfort Railroad Company.

By Mr. Rhea—13. A bill for the benefit of Boone Thomas, of Logan county.

By Mr. Bledsoe—14. A bill for the benefit of C. H. Saufley.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to a committee of the whole for Tuesday next; the 2d, 3d, 5th, 7th, 8th, 9th, 10th, 13th and 14th were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on the Judiciary; the 6th to the committee on Propositions and Grievances; the 11th to the committee on Internal Improvement; and the 12th to the committee on the Sinking Fund.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 5th, 7th, 8th, 9th, 10th, 13th and 14th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer print 150 copies of the first and fourth bills, for the use of the members of the General Assembly.

Mr. Whitsett moved the following resolution, viz:

Resolved, That the committee on Internal Improvement enquire into the expediency of employing the convict labor of the State, in improving our rivers and turnpike roads, and that they report by bill or otherwise.

Which was adopted.

The Speaker laid before the House the annual report of the Trustees of the Deaf and Dumb Asylum.

[*For Report—see Legislative Documents.*]

Mr. J. W. Davis moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to report to this House specifically the present state of the Owingsville and Big Sandy Turnpike Road Company; and, further, to report all the circumstances of the lease of said road to James Lampton, and whether said Lampton was bound by his bond to return said road in as good repair as when he received it; and if said road was so returned; and if not, wherefore.

Which was adopted.

Mr. Gordon read and laid on the table the following preamble and resolution, viz:

WHEREAS, The State of Kentucky being identified with Southern States, Southern policy and Southern Institutions; and, whereas, as the States of the North, by their Representatives in Congress, are manifesting a disposition to coerce measures upon the country repugnant to the people of Kentucky. Therefore,

Be it resolved that the General Assembly of the Commonwealth of Kentucky, Instruct their Senators and Representatives in Congress, to resist mildly yet firmly and decidedly, any attempts in Congress to arouse sectional feelings and jealousies tending to prevent harmonious legislation for the general welfare of the country.

Mr. Ewing moved the following resolution, viz:

Resolved, That the Public Printer is hereby directed to print sixty thousand copies of the present Coustitution of Kentucky, in a cheap form, for distribution among the people.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Robertson and W. Daviess, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ewing,	McLarning,
Messrs. Anderson,	Ford,	Miller,
Barlow,	Garland,	Murphy,
Barnes,	Garred,	Napier,
Bassett,	Grundy,	Pope,
Beaty,	Hardin,	Records,

Best,	Harreld,	Rhea,
Bibb,	Harrison,	Robertson,
Bickley,	Harris,	Sherwood,
Blair,	Hayden,	Smith,
Bledsoe,	Hite,	Spurr,
Boarman,	Holton,	Stevens, S.
Cargill,	Huston,	Stewart, M.
Chenault,	Jackson,	Stuart, J.
Conklin,	Jefferson,	Swan,
Crenshaw,	Johnson,	Terrill,
Daviess, W.	Lewis, D. P.	Underwood,
Dodds,	Lewis, R. G.	Vaughan,
Dunlap,	Logan,	Vertress,
Duvall,	Magruder,	Whitsett,
Eubank,	McClarty,	Woods,
Eversole,	McFarland,	Word—66.

Those who voted in the negative, were—

Messrs. Alexander,	Hughes,	Speed,
Barbee,	Leonard,	Stevens, J.
Butler,	Lucas,	Thomas,
Collins,	McConnell,	Thompson,
Cottle,	Morris,	Towles,
Davis, J. W.	Newell,	Turner,
Dohoney,	Noe,	Vickers,
Gordon,	Reiley,	Wallace,
Headley,	Rodman,	Wilson—29.
Holladay,	Shawhan,	

A message was received from the Senate, announcing their concurrence in the resolution from this House for firing national salutes on the 8th of January and 22d and 23d of February, and on the arrival of Gen. Taylor at Frankfort, with an amendment; and had passed a bill, entitled, an act to divorce Sophia Watkinson.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sherwood—1. A bill for the benefit of the heirs of Jacob Commins, deceased, of Anderson county.

On motion of Mr. Whitsett—2. A bill for the benefit of Lydia Hindman, of Barren county.

On motion of Mr. McClarty—3. A bill authorising the Trustees of the town of Stephensport to sell part of the public ground in said town.

On motion of Mr. Butler—4. A bill to divorce Lucinda Hayden, from her husband, William Hayden.

On motion of Mr. Thomas—5. A bill regulating the duties and providing for the pay of County Treasurers.

On motion of Mr. McLarning—6. A bill to change the August Chancery Term of the Christian Circuit Court.

On motion of Mr. Wallace—7. A bill to change the names of Joseph Franks and wife; also, the names of Joann James and Claiborn Frank, children of said Joseph.

On motion of Mr. Swan—8. A bill for the benefit of Wm. Bethel, of Hardin county.

On motion of Mr. Towles—9. A bill to incorporate the Henderson Cemetery Company.

On motion of Mr. Garland—10. A bill to change part of the State road in Lewis county.

Ordered, That the committee on the Judiciary prepare and bring in the 1st and 5th; the committee on Claims the 2d; Messrs. McClarty, Huston and J. Stuart, the 3d; the committee on Religion the 4th; Messrs. McLarning, Harrison and Bibb the 6th; Messrs. Wallace, Headley and Towles, the 7th; Messrs. Swan, Vertress and J. Stuart, the 8th; Messrs. Towles, Hughes and Gordon, the 9th; and the committee on Internal Improvement the 10th.

The amendment proposed by the Senate to resolutions from this House for firing national salutes on the 8th of January and 22d and 23d of February, and on the arrival of General Taylor at Frankfort, was taken up, twice read and concurred in.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of John Doss.
2. An act for the benefit of R. G. Fletcher, of McCracken county.
3. An act for the benefit of Asher and Augustus Gough.
4. An act for the benefit of Joseph Hardaway.
5. An act to restore the Summer Term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.
6. An act to divorce Isabel T. Humphreys.
7. An act to divorce Elizabeth Wilkinson.
8. An act for the benefit of Emanuel Wyatt.
9. An act for the benefit of Solomon H. Harris.
10. An act to change the time of holding Magistrates' Courts, in Madison county.
11. An act to divorce Sophia A. Watkinson.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th and 10th, were severally ordered to be read a third time; the 6th, 7th and 11th, were referred to the committee on Religion; and the 8th and 9th to the committee on Claims.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th and 10th bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The House took up the resolution to appoint a committee to visit the Lunatic Asylum.

Which was twice read and adopted.

On motion of Mr. Towles,

Ordered, That the resolution presented by Mr. Gordon on yesterday, be referred to the committee on Federal Relations.

On motion of Mr. Towles,

Ordered, That a leave of absence, for a few days, be granted to Mr. Reynolds.

And then the House adjourned.

MONDAY, JANUARY 8, 1849.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to amend the several acts to suppress duelling.

An act to enlarge the Elkfork Constable's District, in Todd county.

An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.

An act for the benefit of Lutanus Manassus Jefferson Branch Young.

An act to allow additional Justices to Cumberland and Clinton counties.

An act for the benefit of John J. Everett, jailer of Marshall county.

That they had passed bills of the following titles, viz:

An act to incorporate the Paris and Flat Rock Turnpike Road Company.

An act to call a Convention.

An act to alter the time of holding Magistrates' Courts, in Barren county.

An act limiting the jurisdiction of the General Court, in certain cases.

An act for the benefit of William Hare.

An an act to divorce Hezekiah F. Neely.

An act for the benefit of Malachi Williams, of Allen county.

An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817.

An act to change the name of William Johnston, and others.

And had adopted a resolution to appoint a committee to examine the Lunatic Asylum at Lexington.

Mr. Records, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions from this House of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Peter Estill.

An act to establish two additional election precincts in Warren county.

Resolution for firing national salutes on the 8th January, 22d and 23d February, and on the arrival of Gen. Taylor at Frankfort.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Hughes moved a reconsideration of the vote adopting the resolution proposed by Mr. Turner on Friday last.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hughes moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Ford,	Napier,
Anderson,	Garred,	Newell,
Bibb,	Gordon,	Noe,
Bickley,	Grundy,	Pope,
Boarman,	Harreld,	Records,
Butler,	Harris,	Reiley,
Cargill,	Headley,	Shawhan,
Collins,	Hughes,	Stevens, J.
Crenshaw,	Huston,	Terrill,
Davis, J. W.	Jefferson,	Thompson,
Dodds,	Jones,	Towles,
Dohoney,	Leonard,	Underwood,
Dunlap,	McConnell,	Vickers,
Duvall,	McFarland,	Wallace,
Eubank,	Morris,	Wilson,
Eversole,	Murphy,	Woods—48.

Those who voted in the negative, were—

Mr. Speaker,	Hayden,	Rodman,
Messrs. Barbee,	Hite,	Sherwood,
Barlow,	Holladay,	Smith,
Barnes,	Holton,	Speed,
Bassett,	Jackson,	Spurr,
Beaty,	Lewis, D. P.	Stevens, S.
Best,	Lewis, R. G.	Stuart, M.
Blair,	Logan,	Stuart, J.
Bledsoe,	Lucas,	Swan,
Chenault,	Magruder,	Thomas,
Conklin,	McClarty,	Turner,
Cottle,	McLarning,	Vaughan,

Ewing,	Miller,	Vertress,
Garland,	Rhea,	Whitsett,
Hardin,	Robertson,	Word—46.
Harrison,		

Mr. Records moved a reconsideration of the vote adopting the resolution proposed by Mr. Ewing on Saturday last.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Towles and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Grundy,	Newell,
Barbee,	Harris,	Noe,
Barlow,	Headley,	Records,
Bassett,	Holladay,	Reiley,
Bibb,	Hughes,	Shawhan,
Butler,	Jackson,	Speed,
Collins,	Johnson,	Stevens, J.
Cottle,	Jones,	Thomas,
Davis, J. W.	Leonard,	Thompson,
Dodds,	Logan,	Towles,
Dohoney,	Lucas,	Vickers,
Garland,	McConnell,	Wallace,
Garred,	Morris,	Wilson—40.
Gordon,		

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Rhea,
Messrs. Anderson,	Hardin,	Robertson,
Barnes,	Harreld,	Rodman,
Beaty,	Harrison,	Sherwood,
Best,	Hayden,	Smith,
Bickley,	Hite,	Spurr,
Blair,	Holton,	Stevens, S.
Bledsoe,	Huston,	Stewart, M.
Boarman,	Jefferson,	Stuart, J.
Cargill,	Lewis, D. P.	Swan,
Chenault,	Lewis, R. G.	Terrill,
Conklin,	Magruder,	Turner,
Crenshaw,	McFarland,	Underwood,
Dunlap,	McLarning,	Vaughan,
Duvall,	Miller,	Whitsett,
Eubank,	Murphy,	Woods,
Eversole,	Napier,	Word—53.
Ewing,	Pope,	

Mr. Hardin moved the following resolution, viz:

Resolved, That the use of the Hall of the House of Representatives be tendered to F. W. Thomas on the evenings of Tuesday, Wednesday and

Thursday next, for the purpose of delivering a course of lectures on literary subjects.

Which was adopted.

1. Mr. Underwood presented the petition of sundry citizens of Warren county, praying a repeal of the charter of Augusta College.

2. Also, the petition of sundry citizens of Warren county, praying the passage of a law for the protection of religious worship.

3. Mr. Pope presented the memorial of Buner and Klying, praying that surveyors of counties may be required to return to the Secretary of State the outlines and boundaries of their respective counties, marking the water courses, roads, &c., in order that they may be enabled to make a correct map of the State.

4. Mr. Turner presented the petition of David E. Baker, and Lucinda his wife, praying to be divorced from each other.

5. Mr. Barnes presented the petition of Edmund Sams, praying a divorce from his wife, Sally Ann Sams.

6. Also, the petition of Julia Ann Robertson, praying to be divorced from her husband, William F. Robertson.

7. Mr. Vickers presented the petition of sundry citizens of Muhlenburg county, praying for an appropriation to clear out the obstructions of Cypress Creek.

8. Mr. McConnell presented the petition of sundry citizens of Hickman county, praying that Nathan Wallis may be permitted to erect a mill on the Bayon De Chein in said county.

9. Also, the remonstrance of sundry citizens of said county against granting to the said Wallis the privilege to erect said mill.

Which were received, the reading dispensed with and referred; the 1st to the committee on the Judiciary; the 2d, 4th, 5th and 6th, to the committee on Religion; the 3d to the committee on Agriculture and Manufactures; and the 7th, 8th and 9th, to the committee on Internal Improvement.

And then the House adjourned.

TUESDAY, JANUARY 9, 1849.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of the infant children of Thomas Payne.

An act to change an election precinct in the county of Floyd.

An act to change the names of Eliza Durham and Pheby Ann Comingow.

An act to repeal an act, prohibing the County Court of Fleming from taking stock in turnpike roads in said county.

An act allowing an additional Constable to the county of Taylor.

An act for the benefit of the Sheriff of Cumberland county.

An act for the benefit of C. H. Saufley.

That they had concurred in a resolution from this House appointing a committee to visit the Lunatic Asylum.

And had passed bills of the following titles, viz:

An act for the benefit of Henry G. Stemmons and wife.

An act for the benefit of Meriam E. Carter.

An act to amend the act incorporating the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

An act to release the Louisville Savings Institution from certain taxes.

An act for the benefit of Elizabeth Howard Robinson.

1. Mr. Barbee presented the petition of John L. Vaughn, praying to be divorced from his wife, Sarah M. Vaughn.

2. Mr. Barlow presented the petition of McHenry Osburn, praying to be divorced from his wife, Elizabeth Osburn.

3. Mr. Harreld presented the petition of sundry citizens of Butler county, praying that Page Tyler, a free man of color, may be allowed to remove to, and reside in this State.

4. Mr. R. G. Lewis presented the petition of sundry citizens of the town of Poplar Plains, praying that the Trustees of said town be authorized to subscribe stock in the Flemingsburg and Poplar Plains Turnpike Road.

5. Mr. Underwood presented the petition of Julia E. Crowdus, widow of John A. Crowdus, deceased, praying that she may be permitted to hire her dower slaves out in the State of Tennessee.

6. Mr. Eubank presented the petition of Francis Gowdy, praying to be divorced from his wife, Martha C. Gowdy.

7. Mr. S. Stephens presented the petition of Willis Hammons, praying to be divorced from his wife, Matilda Hammons.

Which were received, the reading dispensed with and referred; the 1st, 2d, 6th and 7th, to the committee on Religion; the 3d to the committee on Propositions and Grievances; the 4th to the committee on Internal Improvement; and the 5th to the committee on the Judiciary.

On motion of Mr. Crenshaw,

Ordered, That the committee on Claims be discharged from bringing in a bill for the benefit of James G. Thompson, of Barren county, and that the committee on Internal Improvement prepare and bring in the same.

Mr. Barlow, from the committee on Propositions and Grievances, asked to be discharged from bringing in a bill for the benefit of Edward McClure, of Grant county, which was granted.

Ordered, That Messrs. Lucas, J. W. Davis and Butler, prepare and bring in the same.

The Speaker laid before the House the report of the Commissioners of the Sinking Fund, which is as follows:

AUDITOR'S OFFICE,
Frankfort, Jan. 9th, 1849.

SIR: Herewith I enclose you the annual report of the Commissioners of the Sinking Fund of the State of Kentucky.

Very Respectfully,
JNO. B. TEMPLE,
Auditor, and Secretary of the Board.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That said report be referred to the committee on the Sinking Fund, and that the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

The Speaker laid before the House a communication from the 1st Auditor, which is as follows:

AUDITORS'S OFFICE,
Jan. 9th, 1848.

SIR: I beg leave to communicate through you the list of the bonds of the State, burned on the 16th of October, 1848, as copied from the register in this office.

Respectfully,
J. B. TEMPLE, *Auditor.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to a resolution of this House, which is as follows, viz:

BOARD OF INTERNAL IMPROVEMENT OFFICE,
January 8th, 1849.

The President of the Board of Internal Improvement respectfully responds to the resolution of the House of Representatives, in relation to the Owingsville and Big Sandy Turnpike Road Company, and the lease thereof to James Lampton, &c., to-wit:

1. The Board have no information of "the present state of the Owingsville and Big Sandy Turnpike Road Company," other than that contained in their annual report to the General Assembly, during its present session, and to which reference is now made. There is no law compelling the managers of turnpike roads to report to this office.

2. The State subscribed and paid to the said road $168,783 81 cents, and individual and county subscriptions to same were $15,000, of which the sum of $12,630 has been paid, leaving the sum of $2,370 unpaid.

3. On the 6th January, 1843, under an act regulating the tolls on turnpike roads, &c., approved February 25th, 1842, the Board, (through its former President) by written contract, leased said road to James Lampton for the term of six years. By the terms of lease, said Lampton was to pay, each year, $500 into the State Treasury, in *semi-annual payments*, and likewise pay, to individual and corporate stockholders, a sum "that would bear the same proportion to $500 as the stock held and paid in by individuals, &c., bore to the stock held and paid for by the State." Afterwards, in January, 1844, upon petition of said Lampton, the Board reduced the rent due the State to $200 per annum. The contract of lease, bond, &c., together with renewals, &c., are on file in this office, subject to inspection when called for.

4. The rent due the State has been paid up to the end of the year 1847, at which time, Lampton failing to renew his lease, the Board tendered the road to the County Courts of those counties through which it passed; and they having declined any action in the matter, the road has from that time to the present remained under the control and management of the Owingsville and Big Sandy Turnpike Road Company.

5. By the contract of lease, said Lampton was bound to keep said road in good repair, and return it, at the expiration of lease, in like condition; whether the road was thus kept or returned in that condition this Board have no information. The lease not having been renewed, by its terms expired in December, 1847, and the present President of the Board came into office in the latter part of July, 1848.

6. From the very best information the Board now have, the said road has, during the past year, been badly managed, and unless properly attended to must become greatly injured in its culverts, bridges, &c.

All of which is respectfully submitted.

O. G. CATES.

President of the Board of Internal Improvement.

To the Hon. GWYN PAGE,

Speaker of the House of Representatives.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

The Speaker laid before the House a communication from the Secretary of State, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of said communication, for the use of the members of the General Assembly.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred a bill for the benefit of Jonathan W. Rice, of Logan county, reported same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and naye being required thereon by Messrs. Holladay and Rhea, were as follows viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Noe,
Messrs. Alexander,	Gordon,	Pope,
Anderson,	Grundy,	Reiley,
Barbee,	Harreld,	Rhea,
Barlow,	Harrison,	Rodman,
Barnes,	Harris,	Sherwood,
Beaty,	Hayden,	Speed,
Best,	Headley,	Stevens, J.
Bibb,	Holton,	Stevens, S.
Bledsoe,	Hughes,	Stewart, M.
Boarman,	Huston,	Swan,
Cargill,	Jackson,	Terrill,
Chenault,	Jefferson,	Thomas,
Conklin,	Johnson,	Thompson,
Crenshaw,	Jones,	Towles,
Davis, J.	Leonard,	Turner,
Dodds,	Magruder,	Underwood,
Dohoney,	McClarty,	Vaughan,
Dunlap,	McConnell,	Vertress,
Duvall,	McFarland,	Vickers,
Eubank,	McLarning,	Wallace,
Eversole,	Miller,	Whitsett,
Ewing,	Murphy,	Wilson,
Ford,	Napier,	Woods—73.
Garland,		

Those who voted in the negative, were—

Messrs. Bassett,	Holladay,	Records,
Bickley,	Lewis, D. P.	Robertson,
Blair,	Lewis, R. G.	Shawhan,
Butler,	Logan,	Smith,
Cottle,	Lucas,	Spurr,
Davis, J. W.	Morris,	Stuart, J.
Hardin,	Newell,	Word—22.
Hite,		

Resolved, That the title thereof be as aforesaid.

Mr. Barlow, from the same committee, to whom was referred a bill to authorise T. M. Lillard to bring a negro boy in this State, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same having been engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newell and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garland,	Napier,
Messrs. Alexander,	Garred,	Noe,
Anderson,	Gordon,	Reiley,
Barbee,	Grundy,	Rhea,
Barlow,	Harreld,	Rodman,
Barnes,	Harrison,	Sherwood,
Beaty,	Harris,	Stevens, J.
Best,	Hayden,	Stevens, S.
Bibb,	Headley,	Stewart, M.
Bledsoe,	Holton,	Swan,
Boarman,	Hughes,	Terrill,
Cargill,	Huston,	Thomas,
Chenault,	Jackson,	Thompson,
Conklin,	Jefferson,	Towles,
Crenshaw,	Johnson,	Turner,
Davis, J.	Jones,	Underwood,
Dodds,	Leonard,	Vaughan,
Dohoney,	Magruder,	Vertress,
Dunlap,	McClarty,	Vickers,
Duvall,	McConnell,	Wallace,
Eubank,	McFarland,	Whitsett,
Eversole,	McLarning,	Wilson,
Ewing,	Miller,	Woods—71.
Ford,	Murphy,	

Those who voted in the negative, were—

Messrs. Bassett,	Holladay,	Robertson,
Bickley,	Lewis, D. P.	Shawhan,
Blair,	Lewis, R. G.	Smith,
Butler,	Logan,	Speed,
Cottle,	Lucas,	Spurr,
Davis, J. W.	Morris,	Stuart, J.
Hardin,	Newell,	Word—23.
Hite,	Records,	

Resolved, That the title thereof be as aforesaid.

Mr. Barlow, from the same committee, to whom was referred a bill for the benefit of William Sims, of Monroe county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that title thereof be as aforesaid.

Mr. Rhea, from the committee on Claims, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Emanuel Wyatt.

An act for the benefit of Solomon H. Harris.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rhea, from the same committee, to whom was referred a bill to authorize the payment of the amount due to the commissioners of the road from Bowlinggreen to the mouth of Salt river, reported the same without amendment.

Ordered, That said bill be referred to the committee on Internal Improvement.

Mr. Robertson, from the committee on the Judiciary, to whom was referred the petition of James F. Drane, and the petition of A. A. Boswell, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petitions be referred to the committee on Propositions and Grievances.

Mr. Robertson, from the same same committee, to whom was referred leave to bring in a bill to change the name of Elizabeth Ellen Swan to her original name, Elizabeth Ellen Eve, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That Messrs. Word, Beaty and Woods prepare and bring in the same.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.

By same—2. A bill to extend the powers of the Trustees of the town of Hartford.

By Mr. J. W. Davis—3. A bill to authorize the County Court of Greenup to establish a ferry in said county.

By the committee on the Judiciary—4. A bill for the relief of James Moody.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st and 2d were severally or-

dered to be engrossed and read a third time; the 3d was referred to the committee on Internal Improvement; and the 4th to the committee on Claims.

The rule of the House, constitutional provision and third reading of the 1st and 2d bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Wilson, leave was given to bring in a bill for the benefit of the Sheriff of Oldham county.

Ordered, That Messrs. Wilson, Bassett and Logan prepare and bring in the same.

Bills from the Senate of the following titles, viz:

1. An act to change the name of William Johnson and others.
2. An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3, 1817.
3. An act for the benefit of Malachi Williams, of Allen county.
4. An act to divorce Hezekiah F. Neely.
5. An act for the benefit of William Hare.
6. An act limiting the jurisdiction of the General Court, in certain cases.
7. An act to alter the time of holding Magistrates' Courts in Barren county.
8. An act to call a convention.
9. An act to incorporate the Paris and Flat Rock Turnpike Road Company.
10. An act to release the Louisville Savings Institution from certain taxes.
11. An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.
12. An act for the benefit of Miriam E. Carter.
13. An act for the benefit of Henry G. Stemmons and wife.
14. An act for the benefit of Elizabeth Howard Robertson.

Were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st and 7th were severally ordered to be read a third time; the 2d was referred to the committee on Education; the 3d, 4th and 14th to the committee on Religion; the 5th to the committee on Propositions and Grievances; the 6th, 12th and 13th to the committee on the Judiciary; the 8th to the committee of the whole House for this day; the 9th and 11th to the committee on Internal Improvement; and the 10th to the committee on Ways and Means.

The rule of the House, constitutional provision and third reading of the 1st and 7th bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The House then, according to order, resolved itself into a committee of the Whole, Mr. Hughes in the Chair, on the bill from this House to call a Convention to amend the Constitution of this State, and a bill from the Senate, entitled, an act to call a Convention; and after some time spent therein the Speaker resumed the Chair, when Mr. Hughes reported that the committee had, according to order, had under consideration the bills aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

WEDNESDAY, JANUARY 10, 1849.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled, an act for the benefit of Dennis D. Cooms.

That they had passed bills from this House, of the following titles, viz:

An act to legalize the appointment of the Clerk of the Butler Circuit Court.

An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.

An act for the benefit of Jas. Clarke, late Sheriff of Casey county.

An act for the benefit of John W. Hawes, of Lawrence county.

An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

That they had passed bills of the following titles, viz:

An act to incorporate the Esculapian Mineral Spring Hotel Company, in Lewis county.

An act to change the name of Robert Goodin, and for other purposes.

An act to divorce Elizabeth Wiatt.

An act for the benefit of Leslie Combs.

And had adopted a resolution fixing a day for the election of a Senator in Congress.

1. Mr. J. W. Davis presented the petition of sundry citizens of Green-up county, praying an amendment to the laws for the protection of religious worship.

2. Mr. Blair presented the petition of sundry citizens of Fleming county, praying the establishment of an election precinct at Sherburn, in said county.

3. Mr. Bledsoe presented the petition of Nancy Roberts, praying to be divorced from her husband, John Roberts.

4. Mr. Barlow presented the petition of George Boulton, praying to be divorced from his wife, Anna Boulton.

5. Mr. Blair presented the petition of sundry citizens, praying an act incorporating a Company to improve the navigation of Licking river.

6. Mr. Cottle presented the petition of George D. Brown and Mary H. Brown, praying the passage of a law authorizing the sale of a slave held in trust for the use of said Mary H. Brown.

7. Mr. Ewing presented the remonstrance of sundry citizens of the town of Danville, against the repeal of the act allowing the Trustees of said town to grant or refuse tavern licenses.

8. Also, the remonstronce of the Board of Trustees of the town of Danville, against the repeal of the act allowing them to grant or refuse tavern licenses.

9. Mr. Dunlap presented the petition of Wm. Boner, praying a change of venue in a prosecution against him in the Lincoln Circuit Court, for keeping a gaming table.

Which were received, the reading dispensed with and referred—the 1st, 3d and 4th to the committee on Religion; the 2d to the committee on Privileges and Elections; the 5th to the committee on Internal Improvement; the 6th and 9th to the committee on the Judiciary; and the 7th and 8th to the committee of the Whole for Thursday next.

The Speaker laid before the House the response of the President of the Board of Internal Improvement to the resolution proposed by Mr. Whitsett, on the 4th inst., which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 9th, 1849.

In obedience to a resolution of the House of Representatives, of the 4th instant, in relation to the Bardstown and Glasgow Turnpike Road, the President of the Board of Internal Improvement respectfully responds, to-wit:

1. The Board have no information in regard to the condition of the Bardstown and Glasgow Turnpike Roard, other than as reported to the General Assembly, during its present session—see report of Board of Internal Improvement.

2. The number of miles graded on said road are sixty nine, of which fifty one milles are metaled, in detached parcels.

3. From the best information obtained, the unfinished part of this road could be McAdamized or graveled at a cost of $2,000 per mile, *according to old style, &c.*; but the Board are constrained to believe, by proper management, it could be done for $1,500 per mile. Labor on the entire route is comparatively low, and material of rock, &c., are abundant.

The Board would remark, that about one mile of this road, near Green river, called *the Sand Hollow*, will have to be re-located at a cost of $3000.

With great respect, O. G. CATES, *P. B. I. I.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to the resolution proposed by Mr. Vertress, on the 4th inst., which is as follows, viz:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT,
January 9, 1849.

In obedience to a resolution of the House of Representatives, of the 4th inst., in relation to the Turnpike Road from Louisville to Nashville, by the way of the mouth of Salt river, &c., the President of the Board respectfully responds, to-wit:

1. The Board have no information in regard to said road other than as reported to the General Assembly in their annual report, during its present session.

2. From the best information the Board have, this road, with the aid of individual and county subscription, could be finished for the sum of $60,000—in all, the sum of $120,000, according to old style, &c.; but by proper management might be finished for about $85,000, including Green river bridge.

With great respect,
O. G. CATES, *P. B. I. I.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

The Speaker laid before the House the annual report of the Visitors of the Penitentiary, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Leave was given to bring in the following bills, viz:

On motion of Mr. Rhea—1. A bill for the benefit of Randolph H. Caldwell, of Logan county.

On motion of Mr. Thompson—2. A bill authorizing the County Court of Hart to appoint a Constable in Munfordsville.

On motion of Mr. Underwood—3. A bill for the benefit of the Sheriff of Hart.

Ordered, That the committee on Propositions and Grievances prepare and bring in the 1st; Messrs. Thompson, Rodman and Underwood the 2d; Messrs. Underwood, Barlow and Whitsett the 3d.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act for the benefit of Asher and Augustus Gough.

An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.

An act for the benefit of John Doss.

An act for the benefit of the Sheriff of Green county.

An act for the benefit of R. G. Fletcher, of McCracken county.

An act to change the name of William Cobb.

An act for the benefit of Samuel Ray, late Sheriff of Monroe county.

An act for the benefit of Joseph Hardaway.

An act to change the time of holding Magistrates' Courts in Madison county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Robertson, from the committee on the Judiciary, to whom was referred the petition of Robert Stockton, asked to be discharged from the further consideration of the same, which was granted.

Mr. Barbee asked leave to withdraw said petition, and it was granted, and the same was withdrawn.

Mr. Robertson, from the same committee, to whom was referred a bill to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill further to protect the rights of married women, reported the same with amendments.

Ordered, That said bill and amendments be made the special order of the day for Saturday next, and that the Public Printer forthwith print 150 copies of said bill and amendments for the use of the members of the General Assembly.

Mr. Robertson, from the same committee, to whom was referred a bill to prescribe the mode of taking the depositions of non-resident witnesses and witnesses out of the State to be read in chancery causes, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be amended to read: "An act changing the mode of taking the depositions of non-resident witnesses in chancery causes."

Mr. Robertson, from the same committee, to whom was referred the petition of N. M. Tandy; the petition af Delia Attleberry; the petition of James and George W. Breeding; the petition of Marshal Key; the petition of Joel Herndon; the petition of Thomas H. Stewart; the petition of Susan Tyler and others; and the petition of John and Susan Green; reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Rodman asked leave to withdraw the petition of Marshal Key, which was granted, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Word—A bill for the benefit of the town of Barbourville.

By same—A bill for the benefit of Elizabeth Ellen Swan.

By the committee on the Judiciary—A bill to repeal an act to authorize the Trustees of Taylorsville to sell water street, and for other purposes.

By same—A bill for the benefit of Stilwell H. Wakefield.

By same—A bill for the benefit of the estate of William Buckner, deceased.

By same—A bill confirming a sale of the land of Darwin Johnson, a lunatic.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill to increase the jurisdiction of Justices of the Peace, reported the same without amendment.

On motion of Mr. Towles,

Ordered, That said bill be made the special order of the day for Monday next, and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The House again resolved itself into a committee of the Whole, on the bill from this House to call a Convention to amend the Constitution of this State, and the bill from the Senate, entitled, an act to call a Convention, Mr. Hughes in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Hughes reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the bill from the Senate to the House, with sundry admendments, which he handed in at the Clerk's table.

The said amendments were then twice read and concurred in.

Mr. Towles then moved to amend said bill by substituting the following in lieu thereof:

WHEREAS, It appears to the present General Assembly of the Commonwealth of Kentucky, that a majority of all the citizens of this State, entitled to vote for Representatives, have, according to law, and the Constitution, voted for two years, in succession, for calling a Convention for the purpose of re-adopting, amending or changing the Constitution of this State. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a Convention be called, for the purpose of re-adopting, amending or changing the Constitution of this State; which Convention shall consist of as many members as compose the House of Representatives, and no more; and they shall be apportioned among the several counties in the same manner and proportion that Representatives are, by the law apportioning the Representatives among the several counties, approved February 29th, 1848.

SEC. 2. *Be it further enacted*, That the same laws now in force, governing elections, and the comparison of polls for Representatives, shall govern the election and comparison of polls for members of said Convention.

SEC. 3. *Be it further enacted*, That said Convention shall meet at the Capitol, in the town of Frankfort, on the first Monday in October, 1849.

SEC. 4. *Be it further enacted*, That each member of said Convention shall be a free white male, of the age of twenty four years, and have been a citizen of this State for at least two years, and of the county or city in which he is elected, for at least one year next preceding his election; and each member of said Convention, before he enters upon the discharge of the duties of his office, shall take an oath to support the Constitution of the United States, and that he will faithfully, and to the best of his skill and judgment, discharge his duties as a member of said Convention.

SEC. 5. *Be it further enacted*, That a majority of the members of said Convention shall be necessary to form a quorum to do business, but a less number shall have power to meet and adjourn from day to day, and adopt measures to compel the attendance of absentees.

SEC. 6. *Be it further enacted*, That the per diem of the members of said Convention shall be $3, and they shall be entitled to the same mileage, &c., as now allowed by law to Representatives: *Provided, however*, That the presiding officer, as well as the other officers of said Convention, and Public Printer, shall be entitled to the same compensation now allowed

by law to the officers of the House of Representatives and Public Printer, and paid out of the Public Treasury in the same manner.

SEC. 7. *Be it further enacted*, That said Convention shall have power to provide for stationery, and other contingent expenses, which shall be paid out of the Public Treasury, as said Convention may direct.

SEC. 8. *Be it further enacted*, That the sum of $—— is hereby appropriated for the employment of competent and faithful Reporters of the Debates and Proceedings of the Convention, and publication of the same in book form, the same to be done under the supervision of the Public Printer.

And the question being taken on adopting said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Towles and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Bibb,	Rodman,	Turner—5.
Noe,	Shawhan,	

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Murphy,
Messrs. Anderson,	Garred,	Napier,
Alexander,	Gordon,	Newell,
Barbee,	Grundy,	Pope,
Barlow,	Hardin,	Records,
Barnes,	Harreld,	Reiley,
Bassett,	Harrison,	Rhea,
Beaty,	Harris,	Robertson,
Best,	Hayden,	Sherwood,
Bickley,	Headley,	Smith,
Blair,	Hite,	Speed,
Bledsoe,	Holladay,	Spurr,
Boarman,	Holton,	Stevens, J.
Butler,	Hughes,	Stevens, S.
Cargill,	Huston,	Stewart, M.
Chenault,	Jackson,	Stuart, J.
Conklin,	Jefferson,	Swan,
Cottle,	Johnson,	Terrill,
Crenshaw,	Jones,	Thomas,
Daviess, W.	Leonard,	Thompson,
Davis, J. W.	Lewis, D. P.	Underwood,
Davis, J.	Lewis, R. G.	Vaughan,
Dodds,	Logan,	Vertress,
Dohoney,	Lucas,	Vickers,
Dunlap,	Magruder,	Wallace,
Duvall,	McClarty,	Whitsett,
Eubank,	McConnell,	Wilson,
Eversole,	McFarland,	Woods,
Ewing,	Miller,	Word—89.
Ford,	Morris,	

Mr. Hughes then moved to amend said bill by adding the following section, viz:

SEC. 9. *Be it further enacted*, That each member of said Convention shall be a free white male, of the age of twenty four years, and have been a citizen of this State for at least two years, and of the county or city in which he is elected, for at least one year next preceding his election; and each member of said Convention, before he enters upon the discharge of the duties of his office, shall take an oath to support the Constitution of the United States, and that he will faithfully, and to the best of his skill and judgment, discharge his duties as a member of said Convention.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Noe and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Holladay,	Rodman,
Barnes,	Holton,	Shawhan,
Best,	Hughes,	Stevens, J.
Bibb,	Huston,	Terrill,
Bledsoe,	Jefferson,	Thomas,
Crenshaw,	Logan,	Thompson,
Dohoney,	Lucas,	Towles,
Eversole,	Murphy,	Vertress,
Garland,	Newell,	Whitsett—29.
Harris,	Noe,	

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Napier,
Messrs. Alexander,	Garred,	Pope,
Barbee,	Gordon,	Records,
Barlow,	Grundy,	Reiley,
Bassett,	Hardin,	Rhea,
Beaty,	Harreld,	Robertson,
Bickley,	Harrison,	Sherwood,
Blair,	Hayden,	Smith,
Boarman,	Headley,	Speed,
Butler,	Hite,	Spurr,
Cargill,	Jackson,	Stevens, S.
Chenault,	Johnson,	Stewart, M.
Conklin,	Jones,	Stuart, J.
Cottle,	Leonard,	Swan,
Daviess, W.	Lewis, D. P.	Underwood,
Davis, J. W.	Lewis, R. G.	Vaughan,
Davis, J.	Magruder,	Vickers,
Dodds,	McClarty,	Wallace,
Dunlap,	McConnell,	Wilson
Duvall,	McFarland,	Woods,
Eubank,	Miller,	Word—65.
Ewing,	Morris,	

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to establish two additional election precincts in Warren county. Approved January 8, 1849.

An act for the benefit of Peter Estill. Approved January 9, 1849.

Resolution for firing national salutes on the 8th January, 22d and 23d February, and on the arrival of General Taylor at Frankfort. Approved January 8, 1849.

The Speaker laid before the House the resignation of Herman J. Groesbeck, which is as follows, viz:

COVINGTON, *January 8th*, 1849.

To Hon. GWYN PAGE,
Speaker of the House of Representatives.

SIR: Since my return home, I have consulted several eminent physicians, who advise that the feeble and precarious state of my health, caused by the recent hemorhages of my lungs, renders it entirely impracticable for me to return to Frankfort and be of any real service to the State or my constituents, as a member of the Legislature. A sense of duty to myself and family, imperatively demands that I should, for some time to come, abstain from business and excitement of every kind, making the restoration of my health the chief object of my thoughts and actions. Therefore, I hereby respectfully, through you, tender to the House of Representatives of the Legislature of Kentucky, my resignation as a member of that body, from the county of Kenton.

I may be permitted to add, that from the slight acquaintance which I had formed with the members of the House, I had anticipated a highly useful and interesting session; and, it is my ardent desire, that the result of its legislation may add a yet wider and brighter effulgence to the sun of Kentucky's glory; and, that each individual may, upon his return to his constituents, receive from them the loudest and most welcome plaudits.

Very respectfully, H. J. GROESBECK.

Mr. J. W. Davis, from the committee on the Judiciary, to whom was referred a bill for the benefit of Martin Fugate, late Sheriff of Pendleton county, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Morris, from the committee on the Judiciary, to whom was referred the petition of W. W. Merritt, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Propositions and Grievances.

Mr. Alexander, from the same committee, to whom was referred leave to bring in a bill to regulate the granting divorces, asked to be discharged from the further consideration of the same, which was granted.

Mr. J. W. Davis moved to reverse said report, and it was decided in the negative.

Mr. J. Stuart, from the same committee, to whom was referred the petition of sundry citizens of Simpson county; the petition of Sarah Ann Durrett, and the petition of T. D. Honaker, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Underwood—1. A bill for the benefit of the Sheriff of Hart county.

By the committee on the Judiciary—2. A bill for the benefit of Wm. McCoy and others.

By same—3. A bill for the benefit of Alexander Harreld, Harris Harreld and Edwin Combs.

By same—4. A bill allowing an additional Justice of the Peace to the county of Pike.

By same—5. A bill to change the time of holding the Estill County Court.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hite, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to divorce Sophia A. Watkinson, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hite, from the same committee, to whom was referred the petition of Mary P. Sadler, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hite, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Elizabeth Howard Robinson, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hite from the same committee, to whom was referred the petition of Abigail Wolford, praying a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Harris moved to amend said resolution by striking out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Hite, from the same committee, reported a bill for the benefit of Asa B. Gardner and Jane Gardner, his wife, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract heretofore existing between Asa B. Gardner and Jane Gardner, his wife, be and the same is hereby dissolved, and that each of them be restored to all the rights and privileges of an unmarried man and unmarried woman; and that Jane Gardner be restored to her maiden name, Jane Keel.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lucas and Towles, were as follows viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Eubank,	Morris,
Messrs. Alexander,	Eversole,	Newell,
Anderson,	Ford,	Noe,
Barbee,	Garland,	Pope,

Barlow,	Garred,	Records,
Best,	Gordon,	Reiley,
Bibb,	Grundy,	Rodman,
Bickley,	Harreld,	Sherwood,
Blair,	Harris,	Stevens, J.
Boarman,	Hayden,	Stevens, S.
Butler,	Headley,	Swan,
Cargill,	Hite,	Thompson,
Chenault,	Holladay,	Underwood,
Conklin,	Holton,	Vaughan,
Cottle,	Jones,	Vertress,
Crenshaw,	Lewis, R. G.	Vickers,
Daviess, W.	Logan,	Wallace,
Davis, J. W.	Magruder,	Whitsett,
Davis, J.	McConnell,	Wilson,
Dodds,	McFarland,	Woods,
Dunlap,	Miller,	Word—64.
Duvall,		

Those who voted in the negative, were—

Messrs. Barnes,	Jefferson,	Smith,
Bassett,	Lewis, D. P.	Speed,
Beaty,	Lucas,	Spurr,
Bledsoe,	Napier,	Stuart, J.
Hardin,	Rhea,	Terrill,
Harrison,	Robertson,	Thomas,
Huston,	Shawhan,	Towles—22.
Jackson,		

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

THURSDAY, JANUARY 11, 1849.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House to a resolution from the Senate inviting General Zachary Taylor to visit the Capital of Kentucky, with an amendment to the amendment.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of the Sheriff of Bourbon county.

An act to change the Bowlinggreen and Adairsville State road.

An act to change the name of Polly Ann Phipps to that of Poly Ann Lynch, and for other purposes.

That they had concurred in a resolution from this House inviting Gen. William O. Butler to visit the Capital of Kentucky, with an amendment.

That they had passed bills of the following titles, viz:

An act to divorce Nancy Landy.

An act to divorce Sarah A. Stevens.

An act to establish an additional election precinct in Wayne county.

An act to change the name of Mary Eden to Mary Wilkinson.

1. Mr. Pope presented the petition of sundry citizens of the city of Louisville, praying a repeal of the law prohibiting the circulation of Bank notes of other States of less denomination than five dollars.

2. Mr. Anderson presented the petition of sundry citizens of the town of Danville, praying a repeal of that part of the act incorporating said town, which gives the Trustees the power to grant tavern licenses.

3. Mr. Barnes presented the petition of Gilbert Williams, praying to be divorced from his wife, Nancy Williams.

4. Mr. Duvall presented the petition of John R. Pates, praying to be divorced from his wife, Mary Pates.

5. Also, the petition of Mary Pates, praying to be divorced from her husband, John Pates.

6. Mr. J. Stuart presented the petition of E. P. Buckman, Sheriff of Meade county, praying that further time be allowed him to return his delinquent list.

7. Mr. Hite presented the petition of Julius De Labarthe, praying a change of venue in the prosecution now pending in the Nelson Circuit Court against him for arson.

8. Mr. J. Davis presented the petition of Richard C. Guy, praying to be divorced from his wife, Elizabeth Guy.

9. Mr. Holton presented the petition of John M. Crane, praying to be divorced from his wife, Mary E. Crane.

10. Mr. Hughes presented the petition of sundry citizens of Union county, praying the incorporation of a Pond Draining Company in said county.

11. Mr. Bibb presented the petition of sundry citizens of Muhlenburg county, praying the repeal of the charter of Augusta College.

12. Mr. S. Stevens presented the petition of Jane Gatliff, praying to be divorced from her husband, Moses Gatliff.

13. Mr. Bickley presented the petition of sundry citizens of Mason county, praying an appropriation of the tolls received on that part of the road now completed from the Flemingsburg Turnpike to the Upper Blue lick road, to the finishing of said road.

14. Mr. Holton presented the petition of John Welch, praying that compensation be made him for work done on Lock and Dam No. 1, on the Kentucky river.

Which were received, the reading dispensed with, and referred—the 1st, 6th, 7th and 11th, to the committee on the Judiciary; the 2d to a committee of the Whole House for this day; the 3d, 4th, 5th, 8th, 9th and 12th, to the committee on Religion; the 10th to Messrs. Hughes, Towles and Gordon; the 13th to Messrs. Bickley, Blair and Jefferson; and the 14th to the committee on Claims.

On motion of Mr. Noe, leave of absence, for ten days, was granted to Mr. Thompson.

Mr. Hite, from the committee on Religion, to whom was referred the petition of Wm. Thweat; the petition of John Carroll; and the petition of D. E. and Lucinda Baker, reported the same with the following resolution, viz:

Resolved, That said petions be rejected.

Which was concurred in.

On motion of Mr. Cargill, leave was given to withdraw the petition of John Carroll, and the same was withdrawn.

Mr. Hite, from the same committee, to whom was referred the petition of C. P. Miller, praying a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Cargill moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petitioner.

Mr. Hite, from the same committee, to whom was referred the petition of Minerva O'Riley, praying for a divorce, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Noe moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petitioner.

Mr. Hite, from the same committee, to whom was referred the petition of Helen Cannon, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Crenshaw moved to strike out the words "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Huston, from the committee on Ways and Means, to whom was referred the petition of John Alderson, and the petition of Alfred Norris, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Huston, from the same committee, to whom was referred a bill to amend the revenue laws, reported the same without amendment.

Ordered, That said bill be referred to a committee of the Whole for Tuesday next, and that the Public Printer forthwith print 150 copies of said bill, for the use of the members of the General Assembly.

Mr. Huston, from the same committee, to whom was referred a bill to prescribe the mode of paying the members of the Senate and House of Representatives, reported the same without amendment.

And the question being taken on engrossing and reading said bill a third time, it was decided in the negative, and so said bill was rejected.

Mr. Pope, from the committee on Internal Improvement, to whom was referred the resolution directing them to enquire into the propriety of employing the convict labor in the improvement of roads and rivers, asked to be discharged from the further consideration of the same, which was granted.

On motion of Mr. Whitsett,

Ordered, That the response of the President of the Board of Internal Improvement, made on yesterday in relation to the Bardstown and Glasgow Turnpike road, be referred to the committee on Internal Improvement.

Mr. Underwood, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3d, 1817, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Blair, from the committee on Religion, reported a bill for the benefit of Francis Gowdy, which was read the first time and ordered to be read the second time.

The rule of the House, constitutional provision and second and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Hite, he was excused from voting on the said bill.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Ways and Means—1. A bill for the benefit of the Sheriff of Graves county.

By the committee on Internal Improvement—2. A bill to incorporate the Warsaw Turnpike Company.

By same—3. A bill to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.

By the committee on Privileges and Elections—4. A bill establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor and Livingston.

By Mr. Ewing—5. A bill to incorporate the Russellville and Nashville Turnpike Road Company.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d and 4th were ordered to be engrossed and read a third time; and the 5th was referred to the committee on Internal Improvement.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d and 4th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that titles thereof be as aforesaid.

On motion of Mr. Beaty,

Ordered, That the bill to restore the right of licensing taverns, in the town of Danville, to the County Court of Boyle, be referred to the committee on Propositions and Grievances; together with the petitions and remonstrances which have been presented in relation to said bill.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Esculapian Mineral Spring Hotel Company, in Lewis county.

2. An act to change the name of Robert Goodin, and for other purposes.

3. An act to divorce Elizabeth Wiatt.

4. An act for the benefit of Leslie Combs.

5. An act to divorce Nancy Landy.

6. An act to divorce Sarah A. Stevens.

7. An act to change the name of Mary Eden to Mary Wilkinson.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on the Judiciary; the 2d, 3d, 4th and 7th were severally ordered to be read a third time; and the 5th and 6th were referred to the committee on Religion.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th and 7th bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to establish an additional election precinct in Wayne county, was read the first time and ordered to be be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding "and for other purposes."

The amendment proposed by the Senate to the amendment of this House to a resolution from the Senate, inviting General Zachary Taylor to visit the Capital of Kentucky, was twice read and concurred in.

The amendment of the Senate to a resolution from this House, inviting General William O. Butler to visit the Capital of Kentucky, was twice read and concurred in.

The House took up the resolution from the Senate fixing a day for the election of a Senator in Congress.

On motion of Mr. Hughes,

Ordered, That the further consideration of said resolution be postponed until the 22d instant.

The Speaker laid before the House a report from the Secretary of State, which is as follows, viz:

OFFICE OF SECRETARY OF STATE.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

In conformity to the provisions contained in the 7th and 12th sections of an act of Assembly, approved January 18, 1848, entitled, "an act to re-take the sense of the people of this State as to the propriety of calling a Convention," I herewith report, that it appears from the returns on file in my office, that the whole number of votes given at the general election held in August last, in favor of calling a Convention, was one hundred and one thousand, eight hundred and twenty eight, (101,828,) and that the number of persons reported to have died or removed, after

having been listed by the Commissioners of Tax, is two hundred and eighteen, (218.)

In testimony whereof, I have hereunto set my hand and caused my seal of office to be affixed, this 10th day of January, A. D., 1849.

ORLANDO BROWN, *Sec'y. of State.*

The Speaker laid before the House the annual report of the President and Directors of the Louisville and Portland Canal Company, which is as follows, viz:

Twenty fourth annual report of the President and Directors of the Louisville and Portland Canal Company.

The balance in the Treasury, as shown by the last report, was appropriated in the purchase of shares, and 526 shares were taken, as authorized by a resolution of the Stockholders, and the amount charged in the general account of the Company, which is as follows:

Louisville and Portland Canal Company in General Account,

DEBITS.

Balance of Cash, January 1st, 1848,	$ 102,338 95
Received for tolls in 1848,	158,067 96
	$ 260,406 91

CREDITS.

By 526 shares of the stock purchased and paid for,	$ 102,570 00
By expenses on Canal,	28,919 34
By tax to the State of Kentucky,	1,500 00
By incidental expenses, of salaries, office charges, &c.,	733 00
Balance of cash in Treasury, January 1st, 1849,	126,684 57
	$ 260,406 91

The balance on hand will be immediately appropriated to the purchase of about 630 shares of stock, as authorized by Act of Assembly, which, added to those purchased in the five previous years, will make 7,176 shares retired, leaving 2,824 shares to be hereafter liquidated.

The Board congratulate the stockholders upon the favorable result of the year's business, as shown by the foregoing statement, particularly when it is considered that the disastrous flood of December, 1847, caused so much difficulty in the navigation of the canal for some months after.

This result is, in no small degree, attributable to the persevering and energetic attention of the superintendent and his deputy. The increased expenses of the canal for the year are in consequence of unusual but necessary repairs to the embankments, and the building of a new dredge boat, scows, and machinery, at a cost in all of about $8,000.

It will be noticed by an item in the above account that the State of Kentucky has taxed the entire property and franchises of the canal, consequently no stockholder can be holden to give in the amount of his stock for taxation and thus be subjected to a double tax.

The annexed table shows the number and tonnage of boats that have passed through the canal since its commencement.

Respectfully submitted, JAMES MARSHALL, *Pres't.*

J. H. RHORER, *Secretary.*

Office of the Louisville and Portland Canal Company, Dec. 30, 1848.

Abstract of Boats that have passed, and tolls received on the Louisville and Portland Canal:

Year.	Steam Boats.	Flat & Keel Boats.	Tons.	Amount received.
1831, -	406	421	76,323	$ 12,750 77
1832, -	453	179	70,109	25,756 12
1833, -	875	710	169,885	60,736 92
1834, -	938	623	162,000	61,848 17
1835, -	1,256	355	200,413	80,165 24
1836, -	1,182	260	182,220	88,343 23
1837, -	1,501	165	242,374	145,424 69
1838, -	1,058	438	201,750	121,107 16
1839, -	1,666	578	300,406	180,364 01
1840, -	1,231	392	224,841	134,904 55
1841, -	1,031	309	189,907	113,944 59
1842, -	983	183	172,755	95,005 10
1843, -	1,206	88	232,264	107,274 65
1844, -	1,476	168	304,384	140,389 97
1845, -	1,585	394	318,741	138,291 17
1846, -	1,626	283	341,695	149,401 84
1847, -	1,432	226	307,879	139,900 72
1848, -	1,523	248	341,501	158,067 96
Total,	21,398	6,020	4,039,767	$1,953,676 86

At a meeting of the stockholders of the Louisville and Portland Canal Company, at their office in the city of Louisville, January 1, 1849, the report of the President and Directors was received and ordered to be printed.

The following persons were then duly elected President and Directors for the present year:

JAMES MARSHALL, *President.*
JOHN HULME,
J. CLEVES SHORT,
PETER HULME,
J. H. RHORER, } *Directors.*

Whereas the individual stockholders in this Company have offered to sell and transfer to the Company, proportions of their stock, under the conditions of the amended Charter of the Company, as adopted by the stockholders at their meeting on the 4th of July, 1842:

Resolved, That the Board of President and Directors proceed to purchase the number of shares that the net income of the Company will warrant, by taking from each individual stockholder the number of shares he is entitled to sell under the arrangement adopted by the stockholders.

C. W. SHORT, *Chairman.*

[*Extract from the Minutes.*]
J. H. RHORER, *Secretary.*

The Speaker laid before the House the supplemented report of the Treasurer, which is as follows, viz:

[*For Report—see Legislative Documents.*]

The House then took up the preamble and resolution read and laid on the table, on the 6th instant, by Mr. Gordon.

On motion of Mr. Towles,

Ordered, That said preamble and resolution be referred to the committee on Federal Relations.

On motion of Mr. Hughes,

Resolved, That during the remainder of the session, the counties be called on each Saturday, to receive reports from Select committees and motions.

Leave was given to bring in the following bills, viz:

On motion of Mr. J. W. Davis—1. A bill to incorporate a Company to be styled the Grayson and Catlettsburg Railroad, and for other purposes.

On motion of Mr. Johnson—2. A bill for the benefit of Henry C. Thomas, of Bullitt county.

On motion of Mr. Morris—3. A bill to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

On motion of Mr. Pope—4. A bill to provide for the extension of the slack water navigation of the Kentucky river.

On motion of same—5. A bill to amend the laws in relation to runaway slaves.

On motion of Mr. Jefferson—6. A bill giving the city of Maysville the right to hold property outside the city limits.

On motion of same—7. A bill for the benefit of George T. Anderson, of Logan county.

On motion of Mr. M. Stewart—8. A bill to amend an act, entitled, an act for the benefit of Wm. Calmes, approved March 1, 1847.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st and 4th; the committee on Propositions and Grievances the 2d and 7th; the committee on the Judiciary the 3d and 5th; Messrs. Jefferson, Bickley and Blair, the 6th; Messrs. M. Stewart, Smith, Pope and McLarning, the 8th.

Mr. M. Stewart moved the following resolution, viz:

Resolved, That when the Public Printer shall have printed sixty thousand copies of the Constitution of this State, as directed by a resolution adopted by this House, on the 6th day of January, 1849, that it shall be the duty of the Secretary of State, and he is hereby required, to transmit said copies to the Clerks of the several County Courts in this Commonwealth, at the same time that he may transmit to them the Acts, Journals and other Public Documents of the present Legislature; and in transmitting said copies, said Secretary shall have due regard to the number of voters in each county, so that an equal distribution be had, as near as can be, amongst all of the voters of this Commonwealth; and that said Clerks deliver said copies to the voters of his county, upon application to him therefor, giving to each voter one copy thereof.

On motion of Mr. Towles,

Ordered, That said resolution be laid on the table for the present.

And then the House adjourned.

FRIDAY, JANUARY 12, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House to a bill from the Senate, entitled, an act to call a Convention.

That they had passed bills of the following titles, viz:

An act for the benefit of Green V. Goble.

An act for the benefit of Peter Conway, of Fleming county.

And that they had received official information from the Governor that he had approved and signed enrolled bills originating in the Senate, of the following titles, viz:

An act to change the name of William Cobb.

An act for the benefit of R. G. Fletcher, of McCracken county.

An act for the benefit of the Sheriff of Green county.

An act for the benefit of John Doss.

An act to repeal an act, entitled, an act to amend the road law in the county of Trimble, approved January 18, 1848.

An act for the benefit of Asher and Augustus Gough.

An act to restore the summer term of the Fleming Circuit Court, and in relation to the Nicholas Circuit Court.

An act for the benefit of Samuel Ray, late Sheriff of Monroe county.

An act to change the time of holding Magistrates' Courts in Madison county.

An act for the benefit of Joseph Hardaway.

Approved Jan. 10th, 1849.

1. Mr. Pope presented the petition of Jesse Vansickles, praying that a law may pass authorising him to execute bond as owner of a ferry across the Ohio river.

2. Mr. Vertress presented the petition of sundry citizens of Hardin, Meade, Bullitt and Jefferson counties, praying the establishment of a new county out of parts of said counties.

3. Mr. Butler presented the petition of David C. Spencer, praying to be divorced from his wife, Deborah Spencer.

4. Mr. Hughes presented the petition of George W. McKinney, praying to be divorced from his wife, Tabitha McKinney.

5. Mr. Blair presented the petition of sundry citizens of Fleming county, praying the passage of a law imposing a tax on dogs.

6. Mr. Speed presented the remonstrance of sundry citizens of Jefferson county, against the establishment of a new county out of parts of said county, and the counties of Hardin, Bullitt and Meade.

7. Mr. Barlow presented the petition of Uriah Boulton, praying to be divorced from his wife, Lucinda Boulton.

8. Mr. Newell presented the petition of Abraham Lighter, praying to be divorced from his wife, Deborah Lighter.

9. Mr. Robertson presented the petition of sundry citizens of Lexington, and a resolution of the Mayor and Council of said city, praying an amendment to the charter of said city.

10. Mr. Eubank presented the petition of Thomas T. Sadler, praying to be divorced from his wife, Mary P. Sadler.

11. Mr. Word presented the petition of Nathaniel Dougherty, praying to be divorced from his wife, Lucinda Dougherty.

12. Also, the petition of Daniel McKinney, praying to be divorced from his wife, Polly McKinney.

13. Mr. Jackson presented the petition of William Blair, praying the passage of a law authorising him to seal and stamp half bushel measures made by him.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 5th and 6th, to the committee on Propositions and Grievances; the 3d, 4th, 7th, 8th, 10th, 11th and 12th, to the committee on Religion; the 9th to the committee on the Judiciary; and the 13th to Messrs. Jackson, Barlow and J. W. Davis.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to allow additional Justices to Cumberland and Clinton counties.

An act for the benefit of John J. Everett, jailer of Marshall county.

An act for the benefit of Lutanus Manassus Jefferson Branch Young.

An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.

An act to amend the several acts to suppress duelling.

An act to enlarge the Elkfork Constable's District, in Todd county.

An act for the benefit of Jas. Clarke, late Sheriff of Casey county.

An act to legalize the appointment of the Clerk of the Butler Circuit Court.

An act for the benefit of John W. Hawes, of Lawrence county.

An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.

An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

An act to change the names of Eliza Durham and Pheby Ann Commingow.

An act for the benefit of the infant children of Thomas Payne.

An act to repeal an act, prohibing the County Court of Fleming from taking stock in turnpike roads in said county.

An act to change an election precinct in the county of Floyd.

An act for the benefit of the Sheriff of Cumberland county.

An act allowing an additional Constable to the county of Taylor.

An act for the benefit of C. H. Saufley.

A resolution appointing a committee to visit the Lunatic Asylum.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

The Speaker appointed Messrs. Noe, Rodman, Johnson, Harrison and Chenault, the committee to visit the Lunatic Asylum.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred the bill for the benefit of Buford E. Allen, of Fayette county, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Rhea, from the committee on Claims, to whom was referred the petition of J. R. Cargill, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Robertson, from the committee on the Judiciary, to whom was referred the petition of George D. Brown and Mary D. Brown, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Robertson, from the same committee, to whom was referred the petion of Julia E. Crowdus, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to the committee on Propositions and Grievances.

Mr. Bassett, from the same committee, to whom was referred the petition of Richard Merritt and Harvey Jones, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Swan, from the committee on Claims, to whom was referred the bill for the relief of James Moody, reported the same with an amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of Green V. Goble.

2. An act for the benefit of Peter Conway, of Fleming county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on Claims, and the 2d to the committee on Ways and Means.

Mr. Hite, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to divorce Isabel T. Humphreys, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding "and for other purposes."

Mr. Hite, from the same committee, to whom was referred the petition of John Stroud, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Hite, from the same committee, to whom was referred the petition of Maria Chapman, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Murphy moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Propositions and Grievances—1. A bill for the benefit of William Webb, of Grant county.

By same—2. A bill for the benefit of Henry C. Thomas.

By same—3. A bill for the benefit of Albert A. Boswell, of Graves county.

By same—4. A bill for the benefit of David D. Moore, of Crittenden county.

By same—5. A bill for the benefit of Wilson Hackney.

By same—6. A bill for the benefit of James F. Drane.

By same—7. A bill for the benefit of W. W. Merritt.

By same—8. A bill for the benefit of Randolph H. Caldwell, of Logan county.

By the committee on Claims—9. A bill for the benefit of Caleb Kash and Robert Wilson, of Morgan county.

By same—10. A bill for the benefit of Conrad Havens.

By the committee on the Judiciary—11. A bill concerning the compensation and settlement of County Treasurers.

By same—12. A bill to amend chancery practice.

By same—13. A bill to change the venue in the prosecution against William Boner.

By the committee on Religion—14. A bill to divorce Henry R. Bishop.

By same—15. A bill for the benefit of Minerva O'Riley.

By same—16. A bill for the benefit of Helen Cannon.

By same—17. A bill for the benefit of C. P. and Elizabeth Miller.

By same—18. A bill for the benefit of Abigail Wolford.

By same—19. A bill further to protect Religious Assemblies during divine service.

By same—20. A bill to divorce Maria Chapman.

By same—21. A bill to divorce James C. Gourley, John Carroll, Sr., and John Cowan.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th, 18th, 20th and 21st bills, were severally ordered to be engrossed and read a third time; the 12th was made the special order of the day for Monday next; and the 19th was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 14th, 15th, 16th, 17th, 18th, 20th and 21st bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 12th bill for the use of the members of the General Assembly.

Mr. Hite, from the committee on Religion, reported a bill for the relief of Jonas Durham, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Jonas Durham, of Boyle county, be and he is hereby restored to all the rights and privileges of an unmarried man.

The rule of the House, constitutional provision and second and third

reading of said bill having been dispensed with, and the same being engrossed,

Mr. J. W. Davis moved to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it enacted, That Comilus McCoy, be and he is hereby divorced from his wife, and the matrimonial bonds shall be dissolved between them, and he is restored to all the rights of an unmarried man; and the wife is also restored to the privileges of an unmarried woman.

And the question being taken on adopting the same, it was decided in the affirmative.

Mr. Holladay moved to further amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That Mary A. Hammonds is hereby divorced from her husband, Morton G. Hammonds, and restored to all the rights and privileges of an unmarried woman, and to her maiden name.

And the question being taken on adopting the same, it was decided in the affirmative.

Mr. Bledsoe moved further to amend said bill by adding the following engrossed clause, by way of ryder, viz:

Be it further enacted, That Nancy Roberts, of the county of Clinton, be divorced from her husband, and restored to all the rights, privileges and immunities, of an unmarried woman.

And the question being taken on adopting the same, it was decided in the affirmative.

The question was then taken on the passage of the bill, as amended, and decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Newell and Towles, were as follows viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Dunlap,	Hughes,
Barbee,	Eversole,	McConnell,
Barlow,	Ford,	McFarland,
Bickley,	Garred,	Noe,
Bledsoe,	Gordon,	Pope,
Cargill,	Grundy,	Swan,
Cottle,	Harreld,	Terrill,
Daviess, W.	Harris,	Vertress,
Davis, J. W.	Hayden,	Wallace,
Davis, J.	Headley,	Wilson—30.

Those who voted in the negative, were—

Mr. Speaker,	Holton,	Rhea,
Messrs. Barnes,	Huston,	Rodman,
Bassett,	Jackson,	Shawhan,
Beaty,	Jefferson,	Sherwood,
Best,	Johnson,	Speed,

Bibb,	Lewis, D. P.	Spurr,
Blair,	Lewis, R. G.	Stevens, J.
Boarman,	Logan,	Stevens, S.
Butler,	Lucas,	Stewart, M.
Conklin,	Magruder,	Stuart, J.
Crenshaw,	McClarty,	Thomas,
Dodds,	McLarning,	Towles,
Dohoney,	Miller,	Underwood,
Eubank,	Murphy,	Vaughan,
Garland,	Napier,	Vickers,
Hardin,	Newell,	Whitsett,
Harrison,	Records,	Woods,
Hite,	Reiley,	Word—55.
Holladay,		

Mr. Towles moved a reconsideration of the vote rejecting said bill.

And the question being taken thereon, it was decided in the affirmative.

The vote adopting the several engrossed ryders was then reconsidered.

And the question being again taken on the adoption of the engrossed ryders, it was decided in the negative.

The question was then taken on the passage of the bill, and decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

On motion of Mr. Underwood,

Resolved, That the use of this Hall be granted, this evening, to the Rev. Mr. Malcom, of Georgetown College, for an address to be delivered by him, on the subject of Common School Education.

On motion of Mr. Pope,

Resolved, That the use of this Hall be granted to Professor Elliott, of Georgetown, on to-morrow evening, for the purpose of delivering a lecture on the science of Geology.

On motion of Mr. Barlow,

Ordered, That leave of absence, until Monday next, be granted to Messrs. Magruder and Sherwood.

And then the House adjourned.

SATURDAY, JANUARY 13, 1849.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to establish an additional election precinct in Wayne county.

That they had disagreed to a bill from this House, entitled, an act for the benefit of Boone Thomas, of Logan county.

That they had passed bills from this House of the following titles, viz:

An act to authorize T. M. Lillard to bring a negro boy into this State.

An act for the benefit of Jonathan W. Rice, of Logan county.

An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.

An act to empower the County Court of Pike to appropriate the vacant lands in said county, to the improvement of the rivers in said county.

An act for the benefit of William Sims, of Monroe county.

An act for the benefit of James Herriford.

An act to extend the powers of the Trustees of the town of Hartford.

An act for the benefit of the estate of William Buckner, deceased.

An act for the benefit of the Sheriff of Hart county.

That they had passed bills of the following titles, viz:

An act for the benefit of the Clerk of the Muhlenburg County Court.

An act for the benefit of Robert Stockton and his children.

An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

An act to extend the time for surveying and returning Kentucky Land Office Warrants to the Register's office.

An act to legalize the election of Trustees of the town of Nicholasville.

An act to establish an election precinct in Casey county.

An act to divorce Louisa Jane LaFayette Usrey, of Marshall county.

An act to divorce Walter Jones and wife.

Mr. John C. Mason, the member returned to serve in this House, from the county of Bath, appeared, and having taken the oath prescribed by the Constitution of the United States, and the Constitution of this State, took his seat.

Mr. Hardin moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to enquire into the propriety of laying a tax on the proceeds of public shows in this Commonwealth; and, also, into the propriety of increasing the tax upon the proceeds of the sale of patent medicines and secret nostrums, and report by bill or otherwise.

Which was concurred in.

Mr. Records moved the following resolutions, viz:

Resolved, That the President of the Board of Internal Improvement be required to ascertain, for the information of this House, what amount of money has been appropriated by the General Assembly, for the construction of the five Locks and Dams on Licking river, from the commencement of said works up to their suspension; what amount has been expended in partially constructing said works; the amount paid to contractors in damages, in consequence of their suspension; and, also, the

amount necessary to complete said Locks and Dams according to the original estimate; and report to this House, as soon as practicable, the result of his inquiries.

Which was concurred in.

Mr. Bibb asked leave to withdraw the petition of N. M. Tandy, which was granted, and the same was withdrawn.

Mr. Hughes read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint rule which requires the committee on Banks, to examine all the Banks of this State, within the first thirty days of the session, be rescinded during this session, *and that said committee may discharge that duty in forty five days from the commencement of the session.*

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Mr. Rhea moved to amend said resolution by striking out all that part printed in italics, and insert in lieu thereof the following, viz:

And said committee be instructed to remain at Frankfort and discharge the duty assigned them, by correspondence with the officers of said Banks.

And the question being taken on adopting said amendment, it was decided in the affirmative

Mr. Robertson moved to lay said resolution, as amended, on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hughes and Hite, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Dunlap,	Miller,
Messrs. Anderson,	Garland,	Morris,
Barlow,	Garred,	Murphy,
Barnes,	Grundy,	Newell,
Bassett,	Headley,	Records,
Beaty,	Hite,	Reiley,
Best,	Holladay,	Robertson,
Bibb,	Holton,	Shawhan,
Bickley,	Hughes,	Smith,
Bledsoe,	Jefferson,	Speed,
Boarman,	Jones,	Spurr,
Butler,	Lewis, D. P.	Stevens, S.
Cottle,	Logan,	Terrill,
Daviess, W.	Lucas,	Vertress,
Davis, J.	Mason,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	McLarning,	Woods—51.

Those who voted in the negative, were—

Messrs. Barbee,	Hardin,	Napier,
Blair,	Harreld,	Rhea,
Cargill,	Harris,	Stevens, J.

Conklin,	Hayden,	Stuart, J.
Crenshaw,	Huston,	Swan,
Davis, J. W.	Jackson,	Thomas,
Eubank,	Leonard,	Underwood,
Eversole,	Lewis, R. G.	Whitsett,
Ewing,	McClarty,	Wilson
Ford,	McFarland,	Word—30.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Solomon H. Harris.

An act to change the name of William Johnston, and others.

An act to alter the time of holding Magistrates' Courts, in Barren county.

An act for the benefit of Emanuel Wyatt.

An act to divorce Sophia A. Watkinson.

An act for the benefit of Elizabeth Howard Robinson.

An act to call a Convention.

A resolution inviting General Zachary Taylor to visit the Capital of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Hughes moved the following resolution, viz:

Resolved, That the Board of Internal Improvement be required to communicate to this House, the interest the State has in the Lexington and Ohio Railroad; also, the interest individuals have in the same; the condition of said road, and also give all information they have on that subject.

Which was concurred in.

Mr. Barbee moved the following resolution, viz:

Whereas, the resolution ordering sixty thousand copies of the Constitution to be printed for distribution is inexpedient. Therefore,

Resolved, That the said resolution be and the same is hereby rescinded.

On motion of Mr. Hardin,

Ordered, That said resolution be laid on the table.

Mr. Cottle asked leave to withdraw the petition of George D. and Mary Brown, which was granted, and the same was withdrawn.

A message was received from the Governor, announcing that he had approved and signed enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act for the benefit of C. H. Saufley.

An act allowing an additional Constable to the county of Taylor.

An act for the benefit of the Sheriff of Cumberland county.

An act for the benefit of the infant children of Thomas Payne.

An act to change the names of Eliza Durham and Pheby Ann Commingow.

An act for the benefit of John W. Hawes, of Lawrence county.

An act to legalize the appointment of the Clerk of the Butler Circuit Court.

An act to change an election precinct in the county of Floyd.

An act to repeal an act prohibing the County Court of Fleming from taking stock in turnpike roads in said county.

An act for the benefit of Jas. Clarke, late Sheriff of Casey county.

An act to repeal an act, entitled, an act to amend the road law of Pendleton county, and for other purposes.

An act for the benefit of the Adas Israel, or Community of Israel, in the city of Louisville.

An act to amend the several acts to suppress duelling.

An act to enlarge the Elkfork Constable's District, in Todd county.

An act to change the name of Barsheba Mills, wife of Austin Mills, of Logan county.

An act for the benefit of Lutanus Manassus Jefferson Branch Young.

An act to allow additional Justices to Cumberland and Clinton counties.

An act for the benefit of John J. Everett, jailer of Marshall county.

A resolution appointing a committee to visit the Lunatic Asylum.

Approved Jan. 12th, 1849.

Mr. Dodds asked leave to withdraw the petition of William Thweat, which was granted, and the same was withdrawn.

Mr. McLarning asked leave to withdraw the petition of Sarah Ann Dunnell, which was granted, and the same was withdrawn.

Leave was given to bring in the following bills, viz:

On motion of Mr. Vickers—1. A bill allowing an additional Justice of the Peace to the county of Muhlenburg.

On motion of Mr. Hite—2. A bill to take the county of Meade from the 13th Judicial District, and add the same to the 14th District.

On motion of same—3. A bill incorporating the Bardstown Cemetery Company.

On motion of same—4. A bill for the benefit of William Giles.

On motion of Mr. Holladay—5. A bill to change the name of Elizabeth Hiatt and Asa Hiatt.

On motion of same—6. A bill for the benefit of Samuel G. Rogers, of Nicholas county.

On motion of Mr. Ford—7. A bill to extend slack water navigation on Rough Creek.

On motion of Mr. Woods—8. A bill for the benefit of Henry G. Gilmore and Keziah Gilmore.

On motion of same—9. A bill to change the place of holding elections from John Goffs to Hardin Percells, in Pulaski county.

On motion of Mr. Eubank—10. A bill for the benefit of Michael L. Huffman.

On motion of Mr. Jones—11. A bill for the benefit of Clayvillage, in Shelby county.

On motion of Mr. Huston—12. A bill for the benefit of the Bracken County Court.

On motion of Mr. Bibb—13. A bill authorizing the County Court of Todd to change a portion of the State road in said county from Hopkinsville to Morgantown.

On motion of same—14. A bill exempting additional property from sale under execution.

On motion of Mr. Underwood—15. A bill to amend the act, entitled, an act to regulate the settlement of estates, approved February 20, 1839.

On motion of Mr. Grundy—16. A bill for the benefit of Abraham Vanarsdale.

On motion of Mr. Beaty—17. A bill to appropriate part of the revenue of Wayne county, for the year 1849, to remove some large rocks which obstruct the navigation of the Big South Fork.

On motion of Mr. D. P. Lewis—18. A bill to incorporate the Paris and North Middletown Turnpike Road Company.

On motion of Mr. Cottle—19. A bill for the benefit of Rolly Watson.

On motion of same—20. A bill for an appropriation for the Licking river.

On motion of Mr. McClarty—21. A bill to authorise and require the Clerk of the Breckinridge County Court to transcribe certain records in that office.

On motion of Mr. Harreld—22. A bill for the benefit of Pheby Woosley and heirs, of Edmonson county.

On motion of same—23. A bill to change the place of voting in Butler county from William McKinney's to Henry Burnes'.

On motion of Mr. Reiley—24. A bill to amend the road law of Campbell county.

On motion of same—25. A bill to establish an additional precinct in Campbell county.

On motion of same—26. A bill authorising the County Court of Campbell to appoint one of their body, in addition to three already allowed, to grant injunctions, &c.

On motion of Mr. Garrard—27. A bill to regulate the giving of notice to militia men.

On motion of Mr. Eversole—28. A bill to change the places of holding elections in the counties of Clay and Perry.

On motion of Mr. Blair—29. A bill to appropriate the dividends on the Maysville and Mountsterling Turnpike Road, for a limited period, to the completion of said road, and for other purposes.

On motion of Mr. Harris—30. A bill to amend the law in relation to private passways, in the county of Pike.

On motion of same—31. A bill to improve the downward navigation of the Big Sandy river.

On motion of same—32. A bill to declare certain streams, in the counties of Floyd, Pike and Johnson, navigable streams.

On motion of Mr. Dunlap—33. A bill to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

On motion of same—34. A bill amending the charter of the town of Lancaster.

On motion of Mr. Lucas—35. A bill for an appropriation to the Georgetown and Williamstown Turnpike Road.

On motion of Mr. J. W. Davis—36. A bill to allow to the county of Carter an additional Justice of the Peace, and for other purposes.

On motion of Mr. Newell—37. A bill to amend the law to suppress gambling.

On motion of Mr. Bassett—38. A bill to amend an act, entitled, an act further to protect the rights of married women, approved February 23d, 1846.

On motion of same—39. A bill to amend an act, entitled, an act further to define the crime of arson by a slave, approved March 3, 1842.

On motion of Mr. Speed—40. A bill to amend the law in relation to the appointment of Commissioners of Deeds, &c., approved 23d February, 1843.

On motion of Mr. Jackson—41. A bill for the benefit of the Common School District, No. 20, in Laurel county.

On motion of Mr. Garland—42. A bill to incorporate the Kinnacanick Bridge Company.

On motion of Mr. Napier—43. A bill to alter so much of the State road as lies between Stanford and the top of the Knob at Hall's Gap.

On motion of Mr. J. Stuart—44. A bill for the benefit of Francis Alexander.

On motion of Mr. Wm. Daviess—45. A bill to incorporate a Company to construct a turnpike from Harrodsburg to Cane Run Church, in Mercer county.

On motion of same—46. A bill to incorporate a Company to construct a turnpike from the town of Oregon, in Mercer county, to intersect the Louisville, Harrodsburg and Crab Orchard Turnpike.

On motion of Mr. Barlow—47. A bill for the benefit of John Adair, of Monroe county.

Ordered, That Messrs. Vickers, Barlow and Hite prepare and bring in the 1st; the committee on the Judiciary the 2d, 4th, 21st, 26th, 34th, 36th, 37th, 38th, 39th, 40th and 44th; Messrs. Hite, Towles and Hardin, the 3d; Messrs. Holladay, Hughes and Towles, the 5th; the committee on Propositions and Grievances the 6th and 16th; the committee on Internal Improvement the 7th, 18th, 24th, 29th, 31st, 33d, 35th, 45th and 46th; Messrs. Woods, Anderson and S. Stevens, the 8th; Messrs. Woods, Beaty and S. Stevens, the 9th; Messrs. Eubank, Underwood and J. Davis, the 10th; Messrs. Jones, Magruder, Hughes, the 11th; Messrs. Huston, Best, Holladay, the 12th; Messrs. Bibb, Terrill and J. Davis, the 13th; Messrs. Bibb, Underwood and Gordon, the 14th; Messrs. Underwood, Bibb and Ewing, the 15th; Messrs. Beaty, Bledsoe, Woods and S. Stevens, the 17th; Messrs. Cottle, Newell and Lucas, the 19th and 20th; Messrs. Harreld, Underwood and Ford, the 22d; Messrs. Harreld, Ford and Rhea, the 23d; the committee on Privileges and Elections the 25th and 28th; the committee on Military Affairs the 27th; Messrs. Harris, Hughes and Hardin, the 30th; Messrs. Harris, Newell and Cottle, the 32d; the committee on Education the 41st; Messrs. Garland, Barlow and Lucas, the 42d; Messrs. Napier, Beaty and Eubank, the 43d; and the committee on Religion the 47th.

Mr. Barnes moved the following resolution, viz:

Resolved, That the committee on the Judiciary are hereby instructed to enquire into the expediency of passing a law giving to defendants in suits in chancery a right to redeem lands sold under decrees for the debts or liabilities of the owners, in all cases, in the same manner, and upon the same terms that lands are subject to be redeemed by defendants under execution at law; and that they report by bill or otherwise.

Which was concurred in.

Mr. Cargill moved the following resolution, viz:

Resolved, That the sixty thousand copies of the Constitution of Kentucky, that was ordered to be printed, that so soon as the same are printed, that they be distributed amongst the different Representatives, for distribution, giving to each member in proportion to the number of voters which he shall represent.

On motion of Mr. Hardin,

Ordered, That said resolution be laid on the table.

Mr. Hite presented the petition of Mary R. Carr and Henry Russell, praying the passage of a law for the benefit of John Carr and wife and their child.

Which was received, the reading dispensed with, and referred to the committee on the Judiciary.

Mr. Conklin moved the following resolution, viz:

Resolved, That the committee on the Judiciary enquire into the propriety of passing a law more particulary defining the equitable jurisdiction of Justices of the Peace, and that they report by bill or otherwise.

Which was concurred in.

Mr. Towles moved the following resolution, viz:

Resolved, That the 2d Auditor be and he is hereby requested to communicate to this House information as to the amount of revenue received into the Treasury in aid of the resources of the Sinking Fund, under the provisions of an act, approved 11th March, 1843, entitled, an act to add to the resources of the Sinking Fund, during the fiscal year last past, upon the following items of taxation: 1st. What amount has been received upon licenses to money brokers and exchange dealers. 2d. What amount has been received upon licenses to agents for foreign insurance companies. 3d. What amount has been received from taxes upon collateral inheritances. 4th. What amount has been received from taxes upon collateral devises. 5th. What amount has been received on licenses to sell playing cards, or from the specific tax of 25 cents on each pack sold, imposed by said law.

Which was concurred in.

Mr. McConnell asked leave to withdraw the petition of Delia Atterberry, which was granted, and the same was withdrawn.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Wilson—1. A bill for the benefit of the Sheriff of Oldham county.

By Mr. Records—2. A bill for the protection of the public property on Licking river, and for other purposes.

By Mr. Hughes—3. A bill to incorporate the Beaver Dam Pond Draining Company.

By same—4. A bill for the benefit of the mechanics of Union county.

By Mr. Underwood—5. A bill to authorize the Hart County Court to appoint a Constable.

By same—6. A bill for the benefit of Thos. L. Stephens and Jas. Ford.

By Mr. Dohoney—7. A bill for the benefit of John Janes and others.

By Mr. Anderson—8. A bill to authorize the County Courts of Boyle and Lincoln to take stock in certain turnpike roads.

By Mr. McLarning—9. A bill to change the August Chancery Term of the Christian Circuit Court.

By same—10. A bill concerning the law of evidence.

By same—11. A bill to amend the criminal laws.

By Mr. Wallace—12. A bill to change the names of Joseph Franks and others.

By Mr. Barnes—13. A bill for the benefit of David Snowden, late Sheriff of Owsley county.

By Mr. Dunlap—14. A bill to change the time of holding the Garrard Circuit Court.

By same—15. A bill for the benefit of the heirs of Hiram Beazly, deceased.

By Mr. Lucas—16. A bill for the benefit of Edward McClure, of Grant county.

By Mr. J. W. Davis—17. A bill to repeal the law repealing an act giving to the county of Greenup one road Commissioner.

By Mr. Towles—18. A bill to authorise the Trustees of the town of Henderson to sell certain public grounds.

By Mr. Speed—19. A bill to provide for the geological and minerological survey of the State.

By Mr. Bickley—20. A bill authorising the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.

By Mr. Jefferson—21. A bill giving the city of Maysville the right to hold property out of the city limits.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 7th, 9th, 12th, 13th, 14th, 17th, 18th, 20th and 21st, were severally ordered to be engrossed and read a third time; the 2d, 6th and 8th, were referred to the committee on Internal Improvement; the 10th, 11th and 15th, to the committee on the Judiciary; the 16th to the committee on Ways and Means; and the 19th to the committee on Agriculture and Manufactures.

The rule of the House, constitutional provision and third reading of the 1st, 3d, 4th, 5th, 7th, 9th, 12th, 13th, 14th, 17th, 18th, 20th and 21st bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 19th bill, for the use of the members of the General Assembly.

And then the House adjourned.

MONDAY, JANUARY 15, 1849.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved February 24, 1834.

An act for the benefit of the town of Barbourville.

An act for the benefit of Elizabeth Ellen Swan.

An act to repeal an act, to authorise the Trustees of Taylorsville to sell water street, and for other purposes.

An act confirming the sale of the land of Darwin Johnson, a lunatic.

An act for the benefit of William McCoy, and others.

An act to change the time of holding the Estill County Court.

An act for the benefit of Asa B. Gardner, and Jane Gardner, his wife.

An act for the benefit of Francis Gowdy.

An act for the benefit of the Sheriff of Graves county.

An act for the benefit of Stilwell H. Wakefield.

An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor and Livingston.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of James Bartrum.

An act granting a change of venue to Wm. Burns.

An act for the benefit of the heirs of Richard Lowe, deceased.

An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.

An act for the benefit of Jack Hardin and B. Mills Crenshaw.

An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorised newspapers.

And had adopted a resolution fixing a day for the election of Public Officers.

1. Mr. W. Daviess presented the petition of Abraham Vanarsdale, praying permission to import into this State a slave.

2. Mr. Huston presented the petition of Benjamin All, praying a change of venue in the prosecution now pending against him in the Jefferson Circuit Court for larceny.

3. Mr. McLarning presented the petition of sundry citizens of Christian county, praying a change in a State road in said county.

4. Mr. Hite presented the petition of sundry citizens of Nelson county, praying that the contractors of the Bardstown and Green River Turnpike Road may pass free of toll on said road.

5. Mr. Mason presented the petition of sundry citizens of Bath county, praying a repeal of the charter of Augusta College.

6. Also, the petition of sundry citizens of Bath county, praying an amendment to the laws for the protection of religious worship.

7. Also, the petition of sundry citizens of Bath county, praying that permission be given to J. L. Jones to erect a mill dam across Licking river.

8. Also, the petition of sundry citizens of Bath county, praying that an additional Justice of the Peace be allowed to said county.

9. Mr. Shawhan presented the petition of sundry citizens of Harrison

and Bourbon counties, praying the passage of a law for the benefit of the Leesburg Artillery Company.

10. Mr. Conklin presented the petition of sundry citizens of Grayson county, praying a repeal of the charter of Augusta College.

11. Also, the petition of William H. Jackson, praying to be divorced from his wife, Rebecca Jackson.

12. Mr. R. G. Lewis presented the petition of Allen Gardner and wife, praying to be divorced from each other.

13. Mr. Harreld presented the petition of Edward Ray, and Margaret, his wife, praying to be divorced from each other.

14. Mr. Rhea presented the petition of Aaron Barkhouser, praying that compensation be made him for work done on the Logan, Todd and Christian Turnpike Road.

15. Mr. J. W. Davis presented the remonstrance of L. D. Ross and others, against the establishment of a ferry across the Ohio river, opposite Portsmouth.

16. Also, the remonstrance of sundry citizens of the State of Ohio, against the establishment of a ferry across the Ohio river, opposite Portsmouth.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d, 5th and 10th, to the committee on the Judiciary; the 3d, 4th, 7th, 15th and 16th, to the committee on Internal Improvement; the 6th, 11th, 12th and 13th, to the committee on Religion; the 8th to Messrs. Mason, Cottle and Headley; the 9th to the committee on Military Affairs; and the 14th to the committee on Claims.

Mr. Hite, from the committee on Religion, to whom was referred bills from the Senate, of the following titles, viz:

An act to divorce Hezekiah F. Neely.

An act to divorce Elizabeth Wilkinson.

An act for the benefit of Malachi Williams, of Allen county, reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Vertress asked leave to withdraw the petition of D. E. Baker and Lucinda Baker, which was granted, and the same was withdrawn.

Mr. Huston, from the committee on Ways and Means, to whom was referred leave to bring in a bill to define the duties of tax Commissioners, asked to be discharged from the further consideration of the same, which was granted.

Mr. Pope, from the committee on Internal Improvement, to whom was referred bills from the Senate of the following titles, viz:

1. An act to incorporate the Paris and Flat Rock Turnpike Road Company.

2. An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 13, 1847, reported the 1st with and the 2d without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—1. A bill to divorce John and Nancy Eversole.

By same—2. A bill to divorce James O. Nelson.

By same—3. A bill to divorce Tilman and Julia Ann Steele.

By same—4. A bill to divorce William Grissum.

By same—5. A bill to divorce Lucinda Haydon.

By same—6. A bill to divorce William Young.

By same—7. A bill to divorce Louisa Green.

By same—8. A bill to divorce Lucinda Hicklin.

By same—9. A bill to divorce Harriet J. Wheeler.

By same—10. A bill to divorce John L. Vaughan.

By same—11. A bill to divorce Nancy Murphy.

By the committtee on Ways and Means—12. A bill for the benefit of Samuel Hogan, of Taylor county.

By the committee on Internal Improvement—13. A bill for the benefit of John Caudle, of Letcher county.

By same—14. A bill for the benefit of Samuel Dews, of Spencer county.

By same—15. A bill authorising a change in the State road, in Lewis county.

By same—16. A bill to enlarge the powers of the town of Poplar Plains, in Fleming county.

By the committee on Education—17. A bill to levy a tax of two cents on each hundred dollars worth of property, for the purpose of establishing more permanently a Common School System in this State.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th, were severally order-

ed to be engrossed and read a third time; and the 17th was made the special order of the day for Thursday next.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th bills having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 17th bill, for the use of the members of the General Assembly.

Mr. Records, from the committee on Enrollments, reported that the committee had examined an enrolled bill and resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Sheriff of Hart county.

A resolution inviting General William O. Butler to visit the Capital of Kentucky.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred the petition of Page Tyler, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

A message was received from the Governor, announcing that he had signed an enrolled bill and a resolution which had originated in this House, of the following titles, viz:

An act for the benefit of the Sheriff of Hart county.

A resolution inviting General William O. Butler to visit the Capital of Kentucky.

Approved January 15, 1849.

The House then took up the bill further to protect the rights of married women, and the amendments proposed thereto.

The said bill reads as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the personal property, goods and chattels of a *feme covert* which she may have owned at the time of her marriage, or which may come, or be given, devised, or descend to her during coverture, shall not be subject to the debts of the husband, or be levied on, attached or sold, or executed, for any of his debts, created previous to the marriage: *Provided*, that all such personal property, goods and chattels, owned by her at the time of her marriage, or which may come to her thereafter, in any of the modes aforesaid, shall not be exempt from the payment of her debts, contracted or created before marriage: *Provided further*, that all such personal property, goods and chattels shall be liable for the debts of the husband, con-

tracted after the marriage, for the use, comfort and maintenance of the family, or any member thereof. This act to take effect from its passage.

The amendment proposed by the committee on the Judiciary as a substitute for said bill, is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no moveable property of any white female, who shall hereafter be married in this Commonwealth, shall, so long as it shall remain in kind, be subject to the payment of any of her husband's debts, contracted before the marriage.

Mr. Smith moved to amend the amendment by adding, after the word "Commonwealth," the words "or who shall hereafter remove into this Commonwealth after marriage," and after the word "marriage," add the following proviso: "*Provided*, That this act shall not apply to any contract or contracts made by any free white married man before he becomes a resident of this Commonwealth."

And add to the bill the following sections, viz:

Be it further enacted, That within sixty days from and after the intermarriage of any free white male, who may hereafter marry within this Commonwealth, or who may hereafter, after marriage, remove into this Commonwealth, it shall be the duty of such person or persons, to make out a schedule of all the moveable property which belonged to his wife, or which she may be entitled to by gift, devise, purchase, or in any other mode whatever, and file the same with the Clerk of the County Court of the county where said person or persons may reside; which schedule shall be sworn to by said person or persons making out the same.

Be it further enacted, That it shall be the duty of the several Clerks of the several County Courts within this Commonwealth, to record said schedule in a book to be provided for by them; and said Clerks shall receive, as a compensation therefor, the same fees as are now allowed them by law for like services.

Be it further enacted, That any married woman, wife of any free white man, as named in this act, or any person for her, may make out said schedule named in the second section of this act; and when said schedule is so made out, as named in this act, it, or an official copy thereof, shall be used, and taken to be *prima facie* evidence in any of the courts of this Commonwealth, of the amount of moveable property belonging to any such married woman.

Be it further enacted, That the provisions of this act shall not apply to any person or persons unless said schedule shall be filed as required by this act.

Mr. Gordon moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wilson and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Lewis, D. P.	Towles,
Messrs. Ewing,	McConnell,	Turner,

Gordon, Miller, Underwood,
Hardin, Speed, Vertress,
Jackson, Stevens, S. Vickers—17.
Leonard, Thompson,

Those who voted in the negative, were—

Messrs. Anderson, Eubank, Murphy,
Barbee, Eversole, Napier,
Barlow, Ford, Newell,
Barnes, Garland, Pope,
Bassett, Garred, Records,
Beaty, Grundy, Reiley,
Best, Harreld, Reynolds,
Bibb, Harris, Rhea,
Bickley, Hayden, Robertson,
Blair, Headley, Shawhan,
Bledsoe, Hite, Smith,
Boarman, Holladay, Spurr,
Butler, Holton, Stevens, J.
Cargill, Hughes, Stewart, M.
Collins, Huston, Stuart, J.
Conklin, Jefferson, Swan,
Cottle, Lewis, R. G. Terrill,
Crenshaw, Logan, Thomas,
Daviess, W. Lucas, Vaughan,
Davis, J. W. Mason, Wallace,
Davis, J. McClarty, Whitsett,
Dodds, McFarland, Wilson,
Dohoney, McLarning, Woods,
Dunlap, Morris, Word—72.

The question was then taken on the adoption of the amendment proposed by Mr. Smith, and it was decided in the negative.

The question was then taken on the amendment proposed by the committee on the Judiciary, as a substitute for the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ewing and Towles, were as follows viz:

Those who voted in the affirmative, were—

Mr. Speaker, Ewing, Napier,
Messrs. Anderson, Garred, Pope,
Barbee, Grundy, Records,
Barlow, Hardin, Reiley,
Bassett, Hayden, Reynolds,
Beaty, Headley, Rhea,
Best, Hite, Robertson,
Bickley, Holton, Smith,
Bledsoe, Huston, Speed,
Boarman, Jefferson, Spurr,

Butler,	Jones,	Stevens, J.
Collins,	Leonard,	Stevens, S.
Cottle,	Lewis, D. P.	Stuart, J.
Crenshaw,	Lewis, R. G.	Swan,
Daviess, W.	Lucas,	Thomas,
Davis, J. W.	McClarty,	Towles,
Davis, J.	McConnell,	Vertress,
Dodds,	McLarning,	Wallace,
Dohoney,	Miller,	Whitsett,
Dunlap,	Morris,	Woods,
Eubank,	Murphy,	Word—63.

Those who voted in the negative, were—

Messrs. Barnes,	Harreld,	Shawhan,
Bibb,	Harris,	Stewart, M.
Blair,	Holladay,	Terrill,
Cargill,	Hughes,	Thompson,
Conklin,	Jackson,	Underwood,
Eversole,	Logan,	Vaughan,
Ford,	Mason,	Vickers,
Garland,	McFarland,	Wilson—26.
Gordon,	Newell,	

The said bill was further amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

And then the House adjourned.

TUESDAY, JANUARY 16, 1849.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to divorce Isabel T. Humphreys.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Alexander Harreld, Harris Harreld and Edwin Combs.

An act allowing an additional Justice of the Peace to the county of Pike.

An act for the benefit of Randolph H. Caldwell, of Logan county.

An act for the benefit of Jonas Durham.

An act authorising the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.

That they had passed bills of the following titles, viz:

An act to add part of a street in Cynthiana to the Cemetery of said town.

An act for the benefit of Elizabeth Hopkins and William H. Ritchie.

An act for the benefit of Zilla Goldsberry.

An act for the benefit of Robert B. Semple.

An act for the benefit of certain School Districts in this State.

And had adopted resolutions of the following titles, viz:

Resolution providing for the appointment of Reporters to report the proceedings of the Convention.

A resolution concerning the committee on Banks.

1. Mr. Thompson presented the petition of F. G. Everett, praying that compensation be made him for work done on the Louisville and Nashville Turnpike Road.

3. Mr. Harris presented the petition of sundry citizens of Floyd, Morgan and Johnson counties, praying the establishment of a new county out of parts of said counties.

3. Mr. Holton presented the petition of the Trustees of North Benson Baptist Church, praying the passage of a law authorising them to sell and convey the lot of ground on which their Church is situated.

4. Also, the petition of John D. Rake, praying that additional compensation be made him for work done on the Capitol.

5. Also, the petition of Polly Hampton, praying to be divorced from her husband, John Hampton.

6. Mr. Holladay presented the petition of sundry citizens of the town of Carlisle, praying an extension of the limits of said town.

7. Mr. S. Stevens presented the petition of Wm. Wilson, Sr., praying to be divorced from his wife, Lydia Wilson.

8. Mr. Barnes presented the petition of sundry citizens of Estill county, praying a repeal of an act giving to John Judy license to peddle in the county of Estill.

9. Mr. Underwood presented the petition of Elizabeth Whitlock, praying to be divorced from her husband, Adam Whitlock.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Propositions and Grievances; the 3d, 5th, 7th and 9th to the committee on Religion; the 4th to the committee on Claims; the 6th to the committee on the Judiciary; and the 8th to the committee on Ways and Means.

The Speaker laid before the House the response of the 2d Auditor of Public Accounts, to a resolution proposed by Mr. Towles, on Saturday last, which is as follows, viz:

REVENUE DEPARTMENT, AUDITOR'S OFFICE,
Frankfort, January 15th, 1849.

SIR: In obedience to resolution of the House of Representatives of the 13th instant, I give the following statements:

1. That during the fiscal year ending 10th day of October, 1848, there was received from Money Brokers and Exchange Dealers, the sum of - - - - -	$ 308 75
2. That during same time, there was received from Foreign Insurance Companies, the sum of - - - -	1,930 69
3. That during the same time, there was received from the sale of Playing Cards, the sum of - - - -	36 00
In all, - - - - - - - - - -	$2,275 44

The laws taxing "collateral inheritances" and "collateral devises" have been repealed some years since.

I am, very respectfully,
THOS. S. PAGE, *2d Auditor.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

Mr. Barlow, from the committee on Propositions and Grievances, reported a bill for the benefit of Julia E. Crowdus, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred a bill to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle, reported the same without amendment, with the opinion that the said bill ought not to pass.

Mr. Bickley, from the minority of said committee, made the followiug report, viz:

The undersigned, members of the committee on Propositions and Grievances, to which committee a bill was referred "to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle county," report that they do not concur in the report of the majority of the committee. The facts in the case, prove to the undersigned, that the clause which the bill proposes to repeal was improperly inserted in the charter. That the power given by the objectionable clause is in itself arbitrary and injudicious. That at least an equal portion, if not a majority, of the town, desires its repeal, and the expressed sentiment of the county is in favor of the repeal. That leaving the matter to be agitated in future elections of the corporation, is suffering a subject of incessant and continued excitement to remain, where, by legislative interposition, peace and tranquility can be restored. That the moral effects of the exercise of the power, given by the charter to the Trustees, have

been injurious instead of beneficial. For these reasons, the undersigned conceive that the bill ought to pass. The undersigned state that five of the committee voted, three being against the bill and two for it.

The above report is respectfully submitted.

N. HEADLEY,
WM. BICKLEY.

Ordered, That said bill be engrossed and read a third time.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the 23d section of the present charter of the town of Danville, as gives to the Trustees of said town the right to tax and license all taverns within the limits of said town, be and the same is hereby repealed, and the power to tax and license all taverns in the said town is hereby restored to the County Court of Boyle county, with the same power and authority in the premises as exists in the Court over taverns and public houses, by the General Laws of the Commonwealth.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. Stuart and Hughes, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Gordon,	Newell,
Anderson,	Grundy,	Pope,
Barnes,	Hardin,	Reynolds,
Bassett,	Harreld,	Rhea,
Bickley,	Harris,	Shawhan,
Blair,	Hayden,	Sherwood,
Bledsoe,	Headley,	Stevens, J.
Boarman,	Holladay,	Stevens, S.
Butler,	Hughes,	Stuart, J.
Cargill,	Jackson,	Swan,
Collins,	Jefferson,	Terrill,
Conklin,	Jones,	Thomas,
Cottle,	Leonard,	Thompson,
Daviess, W.	Lewis, D. P.	Vaughan,
Davis, J. W.	Lewis, R. G.	Vertress,
Davis, J.	Logan,	Vickers,
Dohoney,	Lucas,	Wallace,
Dunlap,	McConnell,	Whitsett,
Eubank,	Miller,	Wilson,
Eversole,	Murphy,	Woods,
Garland,	Napier,	Word—63.

Those who voted in the negative, were—

Messrs. Barbee,	Holton,	Reiley,
Barlow,	Huston,	Robertson,
Best,	Mason,	Smith,

Bibb,	Hite,	Records,
Crenshaw,	McClarty,	Speed,
Dodds,	McFarland,	Spurr,
Ewing,	McLarning,	Towles,
Ford,	Morris,	Underwood—25.
Garred,		

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing the passage of a bill, entitled, an act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

The House then, according to order, took up the bill to increse the jurisdiction of Justices of the Peace.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentuky*, That the several Justices of the Peace of this Commonwealth, within their respective counties, shall have concurrent jurisdiction with the Circuit Courts of this Commonwealth, in all cases wherein the holder of a note or bond for the direct payment of money, with no collateral covenants, may wish to place the same in suit, and the amount due upon the said note or bond, exclusive of interest or cost, does not exceed one hundred dollars; and in all proceedings, in rendering judgment and issuing execution on all such notes or bonds, such Justices shall, in all things, be regulated by the laws now in force in relation to the sums of fifty dollars and under; and in all cases, where the debt or demand does not exceed fifty dollars, they shall have the same jurisdiction as heretofore.

SEC. 2. *Be it further enacted*, That hereafter, whenever any execution against any judgment debtor, issued by any Justice of the Peace, for any sum of five pounds and over, shall have been duly returned by a Constable to the Justice who issued it, with a return endorsed thereon, that no goods or chattels could be found sufficient to satisfy such execution, or any part thereof, such Justice shall, at the request of the judgment creditor, by his agent or attorney, if made within two years from the return day of such execution, make out and certify a full, true and perfect transcript of the proceedings and judgment in said cause, and the return of the Constable; which transcript, when so made out and certified, may be, by such judgment creditor, his agent or attorney, filed in the Clerk's office of the Circuit Court of the county in which such judgment may be rendered.

SEC. 3. Whenever any transcript shall have been filed and recorded with the return of the Constable, that no goods or chattels could be found sufficient to satisfy such judgment, or a part thereof; or whenever any judgment creditor, his agent or attorney, shall have filed in the Clerk's office, where any such transcript of a Justice's judgment may have been filed and recorded, a certificate from the Justice before whom the judgment was rendered, that an execution had been issued thereon by him to a Constable of his county, and duly returned by such Constable, in substance, that no property could be found sufficient to satisfy such

execution, or any part thereof; and such judgment creditor, his agent or attorney, shall require such Clerk so to do, such Clerk shall issue a *scire facias* on such transcript against the defendant in such execution, by which he shall be summoned to appear before the Circuit Court, to show cause, if he have or can, why an execution should not issue from such Circuit Court against his estate; which *scire facias*, it shall be the duty of the Clerk to enter upon the issue docket of his said Court, as other causes are now required to be entered by law, and have the same fees now allowed in original suits.

SEC. 4. Such *scire facias* shall, among other things, contain a suggestion that the defendant in the execution is seized and possessed of real estate not liable to be seized or levied on by virtue of an execution issued by a Justice of the Peace; which suggestion shall be supported by satisfactory proof to the Circuit Court when the cause shall come to a hearing before it; and on failing to make such proof, the plaintiff shall have no judgment on his *scire facias*, but judgment of non-suit shall be entered thereon against him, with costs.

SEC. 5. The provisions of this act, relative to proceedings on *scire facias* on transcript, shall extend to the estates of decedents, upon judgments rendered against the decedents in their life time.

SEC. 6. No such *scire facias* shall be dismissed on account of any informality in the rendition or form of the judgment, or the certificate of the Justice of the Peace; but the same may be amended without costs, and such amendment shall be no cause of continuance.

SEC. 7. That whenever any judgment of any Justice of the Peace, in pursuance of this act, shall exceed fifty dollars, the Constable collecting the same, shall have the same commissions now allowed to Sheriffs by law for collecting like sums, and no more.

SEC. 8. That whenever any Justice of the Peace shall have vacated his office by death, resignation, or otherwise, the transcript of any judgments upon his record, provided for in the second section of this act, shall be made out and certified by the Justice having custody or possession of his records and papers.

Mr. Barbee moved to amend said bill by striking ont the 1st and 7th sections of said bill.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Towles and Wilson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ewing,	Pope,
Messrs. Alexander,	Garred,	Records,
Anderson,	Grundy,	Rhea,
Barbee,	Hardin,	Robertson,
Barlow,	Harreld,	Shawhan,
Barnes,	Hayden,	Sherwood,
Bassett,	Hite,	Smith,
Best,	Holladay,	Speed,
Bibb,	Holton,	Spurr,

Blair,	Hughes,	Stewart, M.
Bledsoe,	Lewis, D. P.	Stuart, J.
Butler,	Lewis, R. G.	Swan,
Collins,	Logan,	Terrill,
Conklin,	Lucas,	Thomas,
Crenshaw,	Magruder,	Thompson,
Daviess, W.	McClarty,	Underwood,
Davis, J. W.	McLarning,	Vaughan,
Davis, J.	Miller,	Vertress,
Dohoney,	Morris,	Vickers,
Eubank,	Murphy,	Word—60.

Those who voted in the negative, were—

Messrs. Beaty,	Harris,	Newell,
Bickley,	Headley,	Reiley,
Boarman,	Huston,	Reynolds,
Cargill,	Jackson,	Stevens, J.
Cottle,	Jefferson,	Stevens, S.
Dodds,	Leonard,	Towles,
Dunlap,	Mason,	Wallace,
Eversole,	McConnell,	Whitsett,
Ford,	McFarland,	Wilson,
Garland,	Napier,	Woods—31.
Gordon,		

Mr. Records moved to amend said bill by striking out of the 3d section, wherever they occur, the words "and recorded."

Mr. Newell moved to lay said bill and amendment on the table.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Towles and Gordon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Huston,	Rhea,
Messrs. Barlow,	Jefferson,	Robertson,
Barnes,	Jones,	Shawhan,
Best,	Lewis, D. P.	Sherwood,
Bibb,	Lewis, R. G.	Smith,
Butler,	Logan,	Speed,
Cargill,	Lucas,	Spurr,
Conklin,	Magruder,	Stevens, J.
Davis, J.	Mason,	Stevens, S.
Dodds,	McConnell,	Stewart, M.
Eversole,	McFarland,	Thomas,
Ewing,	McLarning,	Thompson,
Ford,	Miller,	Underwood,
Garred,	Morris,	Vaughan,
Gordon,	Murphy,	Vertress,
Hardin,	Newell,	Wallace,
Harreld,	Pope,	Whitsett,

Harris,	Records,	Wilson
Hayden,	Reiley,	Woods,
Headley,	Reynolds,	Word—61.
Hite,		

Those who voted in the negative, were—

Messrs. Anderson,	Cottle,	Jackson,
Barbee,	Crenshaw,	Leonard,
Bassett,	Daviess, W.	McClarty,
Beaty,	Dohoney,	Napier,
Bickley,	Dunlap,	Stuart, J.
Blair,	Eubank,	Swan,
Bledsoe,	Garland,	Terrill,
Boarman,	Grundy,	Towles,
Collins,	Holton,	Vickers—27.

And then the House adjourned.

WEDNESDAY, JANUARY 17, 1849.

A message was received from the Senate announcing their concurrence in the amendments proposed by this House to a bill from the Senate, entitled, an act to incorporate the Paris and Flat Rock Turnpike Road Company.

That they had passed bills from this House of the following titles, viz;

An act for the relief of James Moody.

An act for the benefit of Wm. Webb, of Grant county.

An act for the benefit of Henry C. Thomas.

An act for the benefit of David D. Moore, of Crittenden county.

An act for the benefit of James F. Drane.

An act for the benefit of Caleb Kash, and Robert Wilson, of Morgan county.

An act for the benefit of Conrad Havens.

An act concerning the compensation and settlements of county Treasurers.

An act to change the venue in the prosecution against William Boner.

An act changing the names of Joseph Franks, and others.

That they had passed bills of the following titles, viz:

An act in relation to the Clerks of the Marshall Circuit and County Courts.

An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county.

An act for the benefit of the heirs of Singleton G. Davis.

An act for the benefit of the Marshall County and Circuit Courts.

An act for the benefit of Roland Salmons and his children.

An act for the benefit of Jane Duddy.

An act for the benfit of John Cunningham.

An act for the benefit of Thomas Crowder.

An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.

An act to repeal all acts prohibiting the circulation, in this Commonwealth, of bank notes of less denomination than five dollars.

An act to amend an act entitled an act to incorporate the town of Mayfield, and for other purposes.

An act to change the fall term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

1. Mr. Noe pesented the petition of Edward Pilouze, praying to be divorced from his wife Harriet Pilouze.

2. Also the petition of sundry citizens of Trigg county, praying the repeal of the charter of Augusta College.

3. Mr. W. Daviess presented the petition of John McKenzie, praying to be divorced from his wife Mary H. McKenzie.

4. Mr. Bassett presented the petition of sundry citizens of Henry county, and other counties, praying an amendment to the laws for the protection of religious worship.

5. Mr. Boarman presented the petition of John Springer, praying that compensation be made him, for taking care of and supporting Charles Springer, a lunatic.

6. Mr. Hughes presented the petition of Geo. W. Riddle, praying that compensation be made him, for conveying a lunatic to the Lunatic Asylum.

7. Also the petition of William Harman, praying that compensation be made him for conveying a lunatic to the Asylum.

8. Mr. Underwood presented the petition of J. C. Wilkins, praying an amendment to the charter of the Bowlinggreen and Tennessee State Line Turnpike Road.

Which were received, the reading dispensed with, and referred; the 1st, 3d and 4th to the committee on Religion; the 2d to the committee on the Judiciary; 5th, 6th and 7th to the commmittee on Claims; and the 8th to the committee on Internal Improvement.

The Speaker laid before the House, the report of the Commissioners of the 2d Lunatic Asylum, which is as follows:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned Commissioners, appointed in obedience to "an act to provide for the location and erection of the Second Kentucky Lunatic

Asylum," approved 28th February, 1848, would respectfully report: That they commenced the discharge of the duties imposed upon them, by virtue of their appointment, on the 11th day of July last, and purchased a tract of land for the location of said Asylum, containing three hundred and eighty three acres, for the aggregate price of $1,976 50—situated within two miles of the town of Hopkinsville, immediately on the turnpike leading from thence to Elkton. This is the same site shown to the Commissioners on the part of the State, and approved of by them, when on their late visit to this county. This tract was deemed the most eligible location for such an institution which could be procured—having a sufficient quantity of arable land immediately around the building site for a farm, while the remainder is covered with timber suitable for fuel. There is, upon the tract, a spring, affording an abundant supply of pure water, which, from its situation, it is believed can be carried to almost every part of the building at but a moderate expense. The Commissioners, with the view of ascertaining and adopting the most approved plan for said Asylum, caused two of the undersigned to visit the Asylum at Lexington, and the Ohio Asylum, at Columbus; and, upon an examination of the same, and conversing with the Superintendents of each, and conferring with skillful architects upon the subject, adopted, in substance, the plan of the Ohio Asylum, with such improvements, modifications, and reductions in size, as would meet the wants of *our* institution. A plan, with drawings for the same, they procured to be executed by Maj. N. B. Kelly, a distinguished architect of Columbus. The building will present a front of 361 feet, with two wings running back 190 feet each, three stories high above the basement. This building will contain rooms for the Superintendent, his Assistants, all necessary attendants, the number of patients contemplated by law, as well as all other rooms and conveniences requisite for such an institution. On the 25th of August, after having published notices to contractors, they contracted with Messrs. Johnson and Kelly for laying stonework and furnishing cut stone and materials for the foundation; with Messrs. Russell and Anderson, and James Ware, for the making, delivery and laying the brick in said building; with Messrs. Adamson and Hayson for furnishing stone caps and sills for doors and windows; and Mr. James Ducker for timber for sleepers, joists, lintels, and girders, and lumber for window frames, all at the lowest cash rates, and upon terms believed to be exceedingly moderate. The several contractors immediately commenced the fulfillment of their contracts. Considerable progress has been made in excavating the foundation and laying stone and preparing cut stone for the same—a large quantity of which is now on the ground ready to be laid when the weather will permit its being done. This part of the work is now progressing, and will be completed, by the terms of the contract, by the 1st of April next. The other contractors are also prosecuting their contracts, and have made all the preparations necessary to enable them to comply with the same during the present year. The undersigned have received, from the Treasury of the State, the sum of ($10,000,) ten thousand dollars; and have expended the sum of $8,026 56 cents, which they were authorized to draw, under the act of the last session. A portion of this sum was expended in the purchase of iron pipes and hydrants, and laying them so as to conduct

the water from the spring to the building site, which will greatly facilitate the progress of the work, and is so indispensable to the comfort of the institution when completed. The work, so far, has been done principally under the direction of Mr. Samuel Shryock, one of the undersigned. It is contemplated that the building can be gotten under roof the present year, as the work now contracted to be done will authorize it to be prosecuted to that point, with the addition of the material for roofing, and the putting on the same. It is estimated that, in addition to the unexpended balance of appropriation, that an appropriation, at the present session, of $30,000, will be necessary to prosecute the work to the point indicated.

The undersigned have, in the expenditure of the funds appropriated, paid a due regard to economy, at the same time they have striven to have the work executed in a substantial and elegant manner—they trust such as will equal the expectations of the Legislature. Which is respectfully submitted.

JOHN P. CAMPBELL,
SAM'L. SHRYOCK,
JAMES F. BUCKNER, } *Commr's.*

JANUARY 10, 1849.

Ordered, That the Public Printer forthwith print 300 copies of said report, for the use of the members of the General Assembly.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to the resolution of Mr. Records of Saturday last, which is as follows, viz:

BOARD OF INTERNAL IMPROVEMENT OFFICE,
January 15th, 1849.

In obedience to a resolution of the House of Representatives of the 13th instant, in relation to appropriations and expenditures on Licking river, the President of the Board of Internal Improvement respectfully responds:

1. The total sum heretofore appropriated by legislative action, to the improvement of said river, is $520,000.

2. There has been expended, in surveying, clearing banks, superintendence, construction of Locks, Dams, &c., $372,520 70 cents. But the sum actually expended in the construction of Locks and Dams, is $245,104 94 cents.

3. The sum paid to Contractors for damage, &c., after final suspension, under the act for the benefit of Contractors on the public works, approved 11th March, 1843, was $14,761 42 cents. This sum forms part of the gross expenditure of $372,520 70 cents above named.

4. The estimate of cost of the entire line of navigation, from mouth of Licking to West Liberty, as made by Chief Engineer, in 1836, was $1,826,481. This estimate included the cost of 21 Locks and Dams, making a continuous line of slackwater navigation of 231 miles.

I would remark, that in January, 1847, my worthy and honorable predecessor gave it as his opinion that the five Locks and Dams below Falmouth could be completed for $250,000; that slackwater navigation could be extended to Claysville by two Locks and Dams, for $150,000;

and thence, six miles above Blue Licks, by two Locks and Dams, for $140,000. From thence to West Liberty, by twelve Locks and Dams, at a cost of $720,000. Thereby making, in all, to finish the entire line on said river, the sum of $1,260,000. In this opinion the President of the Board fully concurs.

All of which is respectfully reported,

O. G. CATES, *P. B. I. I.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, with the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Sheriff of Bourbon county.

An act for the benefit of James Herreford.

An act to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.

An act to change the Bowlinggreen and Adairsville State road.

An act for the benefit of the estate of William Buckner, deceased.

An act to empower the County Court of Pike to appropriate the vacant lands in said county, to the improvement of the rivers in said county.

An act for the benefit of Jonathan W. Rice, of Logan county.

An act to authorize T. M. Lillard, to bring a negro boy into this State.

An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.

An act for the benefit of William Sims, of Monroe county.

An act for the benefit of the Sheriff of Graves county.

An act for the benefit of Francis Gowdy.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

Mr. J. W Davis, from the committee on the Judiciary, to whom was referred a bill from the Senate entitled, an act to limit the jurisdiction of the General Court, in certain cases—reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr Robertson, from the same committee, to whom was referred a bill from the Senate entitled, an act to incorporate the Esculapian Mineral Spring Hotel Company, in Lewis county—reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Privileges and Elections—A bill to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.

By the committee on the Judicary—A bill concerning the election of certain municipal officers in the city of Lexington.

By same—A bill concerning the town of Lancaster.

By same—A bill for the benefit of Reuben Brison.

By same—A bill for the benefit of William Giles.

By same—A bill for the benefit of John Carr, a lunatic.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill for the benefit of the heirs of Hiram Beazly, deceased—reported the same without amendment.

The said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the heirs of Hiram Beazley, deceased, are hereby authorized to sell and convey all the land and slaves belonging to said decedent's estate, without resorting to any court of law or equity for power to do the same: *Provided*, That all other requisites of the law be observed in said sales and conveyances.

The question was then taken on engrossing and reading said bill a third time, and it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Robertson and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Davis, J.	Murphy,
Messrs. Alexander,	Dohoney,	Napier,
Anderson,	Dunlap,	Pope,
Barlow,	Eversole,	Rhea,
Barnes,	Grundy,	Smith,
Beaty,	Hardin,	Stevens, S.
Bibb,	Hayden,	Swan,

Bickley,	Headley,	Thomas,
Blair,	Holladay,	Thompson,
Boarman,	Hughes,	Turner,
Chenault,	Jefferson,	Vertress,
Cottle,	Lewis, R. G.	Wilson,
Daviess, W.	Magruder,	Woods,
Davis, J. W.	Mason,	Word—42.

Those who voted in the negative, were—

Messrs. Barbee,	Hite,	Noe,
Bassett,	Holton,	Records,
Best,	Huston,	Reiley,
Bledsoe,	Jackson,	Reynolds,
Butler,	Johnson,	Robertson,
Cargill,	Leonard,	Rodman,
Collins,	Lewis, D. P.	Shawhan,
Conklin,	Logan,	Sherwood,
Crenshaw,	Lucas,	Speed,
Dodds,	McClarty,	Spurr,
Eubank,	McConnell,	Stuart, J.
Ford,	McFarland,	Towles,
Garland,	McLarning,	Underwood,
Garred,	Miller,	Vaughan,
Gordon,	Morris,	Vickers
Harreld,	Newell,	Whitsett—49.
Harrison,		

The House then, according to order, took up the bill to amend Chancery Practice.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

On motion of Mr. McLarning, the said bill was amended by way of engrossed ryder.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Underwood,

Resolved, That the use of the Hall of the House of Representatives, be tendered this evening to Professor Elliot, to continue his lectures on Geology.

And then the House adjourned.

THURSDAY, JANUARY 18, 1849.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act for the benefit of Buford E. Allen, of Fayette county.

An act for the benefit of Albert A. Boswell, of Graves county.

An act for the benefit of Wilson Hackney.

An act for the benefit of W. W. Merritt.

An act for the benefit of Helen Cannon.

An act for the benefit of C. P. and Elizabeth Miller.

An act for the benefit of Abigail Wolfolk.

An act for the benefit of the Sheriff of Oldham county.

An act for the benefit of the Mechanics of Union county.

An act for the benefit of John Janes and others.

An act for the benefit of David Snowden, late Sheriff of Owsley county.

An act to authorise the Trustees of the town of Henderson to sell certain public grounds.

An act giving the city of Maysville the right to hold title to property out of the city limits.

An act to divorce James O. Nelson.

An act for the benefit of Samuel Hogan, of Taylor county.

An act to incorporate the Beaver Dam Pond Draining Company.

An act for the benefit of Minerva O'Reily.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of John M Fraim, of Monroe county.

An act for the benefit of James L. Turman and John L. Price.

An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

An act for the benefit of the widow and heirs of Henry C. Hazlewood, deceased.

An act for the benefit of the Bourbon county Agricultural Society.

An act for the benefit of Edwin Trimble.

An act for the benefit of William Cecil.

An act to provide for a change of venue in the prosecution against Thomas Smith.

An act for the benefit of William L. Owens and others.

An act for the benefit of George Conlon and Amanda Bileter.

An act for the benefit of David Pirtle.

An act to divorce Joseph Howard.

An act for the benefit of John Fible, of Oldham county.

An act for the benefit of the Sheriff of Hopkins county.

An act for the benefit of the former and present Sheriffs of Crittenden county.

And had received official information from the Governor that he had

approved and signed enrolled bills and a resolution originating in the Senate, of the following titles, viz:

An act for the benefit of Emanuel Wyatt.

An act to alter the time of holding Magistrates' Courts in Barren county.

An act to change the name of William Johnston and others.

An act for the benefit of Solomon H. Harris.

An act for the benefit of Elizabeth Howard Robinson.

An act to divorce Sophia A. Watkinson.

An act to call a Convention.

A resolution inviting General Zachary Taylor to visit the Capital of Kentucky.

Approved January 13th, 1849.

1. Mr. Pope presented the petition of William Prather, executor of Henry Clay, Jr., deceased, praying the passage of a law authorising the sale of certain real estate of said deceased.

2. Mr. Jones presented the petition of sundry citizens of Shelby county, praying to be added to Franklin county.

3. Mr. Johnson presented the remonstrance of sundry citizens of Bullitt county, against the establishment of a new county out of parts of said county and the counties of Hardin, Jefferson and Meade.

4. Mr. Robertson presented the petition of David Logan, praying the passage of a law confirming a sale of certain real estate, made by him as guardian of the infant children of Joseph Frazer, deceased.

5. Mr. Vertress presented the petition of S. H. Hays, praying that an additional Constable be allowed to the county of Hardin.

6. Mr. Holladay presented the remonstrance of sundry citizens, residing near the town of Carlisle, against the extension of the limits of said town.

7. Mr. Cottle presented the petition of sundry citizens of Morgan county, praying an extension of the terms of the Morgan Circuit Court.

8. Mr. Bibb presented the petition of Addison Carneal, praying that he be permitted to bring into this State a slave.

Which were received, the reading dispensed with, and referred—the 1st, 4th, 5th, 6th and 7th to the committee on the Judiciary; the 2d, 3d and 8th to the committee on Propositions and Grievances.

On motion of Mr. Records,

Ordered, That the Public Printer forthwith print 150 copies of the response of the President of the Board of Internal Improvement, laid before the House on yesterday by the Speaker, for the use of the members of the General Assembly.

Mr. Robertson moved the following resolution, viz:

Resolved, That the committee on Militery Affairs be instsucted to enquire into the condition of the Public Arms; and, also, to ascertain and

report whether some legislative provision, and what, would be expedient for the safe keeping and proper preservation of the same.

Which was concurred in.

The Speaker laid before the House the annual report of the Trustees of the Cumberland Hospital, which is as follows, viz:

Report of the Trustees of the Cumberland Hospital, to the General Assembly of the Commonwealth of Kentucky, January 1, 1849.

CUMBERLAND HOSPITAL,	CR.	
By balance on hand as stated in last report, - -	$ 341 79	
By State appropriation for 1848, - - - -	1,500 00	
By cash from United States Treasury, - - -	876 50	
By cash from deceased persons, - - - -	10 65	
		$ 2,728 94
CUMBERLAND HOSPITAL,	DR.	
To cash paid Thomas McCormick, for 360 weeks board, and attendance on patients at $3 50 per week, - - - - - - - - -	$ 1,260 00	
To same, for 15 burials, at $6, - - - -	90 00	
To same, for washing 196¾ dozen, at 50 cents, -	98 38	
To same, for keeping a man with small pox in private hospital 10 days, - - - - -	15 00	
To same, for white-washing Hospital buildings, -	10 00	
To D. P. Sanders, M. D., his year's salary, - -	300 00	
To W. Gordon, his bill for shingles, nails, lumber for repairs, medicine, sheets, &c., &c., - -	274 49	
To John Powell, for repairing fence, - - -	6 00	
To H. F. Given & Co., their bill, - - -	1 30	
To H. C. Hodge, his bill, - - - - -	3 45	
To W. Smedley & Co., their bill, - - -	15 60	
To P. Grace, for brick work, - - - -	22 50	
		$ 2,096 72
		$ 632 22

From the foregoing statements of the accounts of the Institution, it will be seen that there is remaining in the hands of the Trustees, unexpended, the sum of six hundred and thirty two dollars and twenty two cents. There have been admitted into the Hospital during the year ending the 31st December, 1848, sixty six patients, fifteen of whom have died—four are now remaining, and the rest discharged cured.

The usual appropriation of $1,500 dollars, with the unexpended balance, and the amount expected from the United States during the year, it is believed will be amply sufficient to meet all the necessary calls upon the Institution for the present year, provided the Cholera should not make too heavy a draft upon its funds. Respectfully submitted,

WM. GORDON,
H. F. GIVEN,
H. C. HODGE,
Trustees of Cumberland Hospital.

To Hon. GWYN PAGE,
Speaker of the House of Representatives.

The amendments proposed by the Senate to a bill from this House, entitled, an act to incorporate the Beaver Dam Pond Draining Company, were taken up, twice read and concurred in.

Mr. Robertson, from the committee on the Judiciary, who were directed to enquire into the propriety of passing a law particularly defining the equitable jurisdiction of Justices of the Peace, asked to be discharged from the same, which was granted.

Mr. Robertson, from the same committee, to whom was referred leave to bring in bills of the following titles, viz:

A bill for the benefit of Francis Alexander.

A bill to repeal an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, approved February 2d, 1833.

A bill to alter and amend the execution laws.

Asked to be discharged from the further consideration of the same, which was granted.

Mr. Robertson, from the same committee, to whom was referred a bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, reported the same without amendment.

Ordered, That said bill be referred to a committee of the whole House, and made the special order of the day for Tuesday next.

Mr. McLarning, from the same committee, to whom was referred a bill concerning the law of evidence, reported the same with an amendment, as a substitue for said bill.

Which was concurred in.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The said bill was further amended by adding thereto an engrossed clause, by way of ryder.

The said bill, as amended, reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Attorneys at Law shall not be permitted to give evidence, or be sworn as witnesses, on the trial of any suit or suits at common law, or in chancery, that may hereafter be brought in any of the Courts of this Commonwealth, in which the said attorneys at law may be employed or retained as counsel, or attorneys; or on behalf of their clients, or the party or parties by whom they may be employed or retained as counselors or attorneys at law: *Provided*, that after the relation of attorney or client shall have ceased, or the attorney shall have withdrawn from the suit, and his connexion with it as counsel or attorney been discontinued, he shall be competent as a witness, as heretofore.

SEC. 2. That no jailer shall be a competent witness to detail, in evid-

dence, any confession of a prisoner made to him, while the prisoner was under his charge, relating to the matter with which the prisoner is charged: *Provided*, That Attorneys at Law may be sworn to prove the non-residence of complainants in chancery, and to verify and prove pleas in abatement not affecting the merits of the case.

The question was then taken on the passage of said bill, and decided in the negative, and so said bill was rejected.

The yeas and nays being required thereon by Messrs. Chenault and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hardin,	Reiley,
Messrs. Barbee,	Harreld,	Reynolds,
Bassett,	Harrison,	Robertson,
Beaty,	Hayden,	Shawhan,
Bickley,	Headley,	Spurr,
Boarman,	Hughes,	Stevens, S.
Cargill,	Logan,	Stuart, J.
Conklin,	Mason,	Swan,
Cottle,	McFarland,	Thomas,
Daviess, W.	McLarning,	Thompson,
Davis, J. W.	Miller,	Vertress,
Dohoney,	Morris,	Whitsett,
Ford,	Murphy,	Wilson,
Garland,	Napier,	Woods,
Garred.	Newell,	Word—47.
Grundy,	Pope,	

Those who voted in the negative, were—

Messrs. Alexander,	Eversole,	McConnell,
Anderson,	Ewing,	Noe,
Barlow,	Gordon,	Records,
Barnes,	Harris,	Rhea,
Best,	Hite,	Rodman,
Bibb,	Holladay,	Sherwood,
Blair,	Holton,	Smith,
Bledsoe,	Huston,	Speed,
Butler,	Jackson,	Stevens, J.
Chenault,	Jefferson,	Stewart, M.
Collins,	Jones,	Terrill,
Crenshaw,	Lewis, D. P.	Towles,
Davis, J.	Lewis, R. G.	Turner,
Dodds,	Lucas,	Underwood,
Dunlap,	Magruder,	Vaughan,
Eubank,	McClarty,	Vickers—48.

The House, according to order, resolved itself into a committee of the Whole, on the bill to amend the revenue laws, Mr. Barlow in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Barlow reported that the committee had, according to order, had un-

der consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

FRIDAY, JANUARY 19, 1849.

A message was received from the Senate announcing the passage of bills from this House of the following titles, viz:

An act to authorize the Hart County Court to appoint a Constable.

An act to divorce Lucinda Hicklin.

An act to enlarge the powers of the Trustees of the town of Poplar Plains, in Fleming county.

That they had passed bills of the following titles, viz:

An act for the benefit of John D. Locke's children.

An act for the benefit of Ira H., and Wm. George.

An act for the benefit of David I. Caldwell, his wife and children.

An act to permit the citizens of the town of Louisa, to vote for or against granting tavern licenses, and for other purposes.

An act for the benefit of Gilson P. Snelling.

1. Mr. W. Daviess presented the petition of Mahuldah Renfro, praying to be divorced from her husband, William Renfro.

2. Mr. Jones presented the petition of sundry citizens of Shelby, Henry and Franklin counties, praying the establishment of a new county, out of parts of said counties.

3. Mr. Pope presented the petition of Brewer and Cowan, praying that remuneration be made them for losses sustained, by reason of their being deprived of the use of the water power, leased by them from the Board of Internal Improvement, at Lock and Dam, No. 3., on Green river.

4. Also the memorial of the Mayor and Council of the city of Louisville, praying the repeal of the act prohibiting them to license coffee houses, &c.

5. Mr. Woods presented the petition of Martin H. Owens, praying that the name of Martin V. Parker, (whom he has adopted as his son,) be changed to that of Martin V. Owens.

6. Mr. Robertson presented the petition of Henry F. Turner, praying the passage of a law allowing his guardian to settle with him and deliver to him his property, as though he were of full age.

Which were received, the reading dispensed with, and referred; the

1st to the committee on Religion; the 2d, 4th and 5th to the committee on Propositions and Grievances; the 3d to the committee on Internal Improvement; and the 6th to the committee on the Judiciary.

Leave was given to bring in the following bills, viz:

On motion of Mr. Alexander—1. A bill for the benefit of E. V. Scruggs.

On motion of Mr. M. Stewart—2. A bill to charter a Railroad Company from Mount Sterling to the mouth of Red river, in Clarke county.

On motion of same—3. A bill to exempt certain property from execution.

On motion of Mr. Ewing—4. A bill for the benefit of J. S. Golladay, of Logan county.

Ordered, That the committee on Religion prepare and bring in the 1st; Messrs. M. Stewart, Smith, Pope and Barnes, the 2d and 3d; and the committee on Propositions and Grievances, the 4th.

On motion of Mr. Hughes,

Resolved, That the use of this Hall be tendered to the Sons of Temperance this evening, when an address will be delivered on the subject of Temperance.

On motion of Mr. McLarning,

Ordered, That the report of the Commissioners of the Second Lunatic Asylum be referred to Messrs. McLarning Towles, Harrison and Noe.

The Speaker laid before the House, a communication from James Davidson, late Treasurer, which is as follows, viz:

FRANKFORT, *January 19th*, 1849.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

DEAR SIR: Please lay before the House over which you preside, the enclosed memorial of

Your obedient servant,
JAMES DAVIDSON.

[*For Memorial—see Legislative Documents.*]

Ordered, That the said communication be referred to Messrs. Pope, Holton, Morris and Huston—and that the Public Printer forthwith, print 150 copies of said communication for the use of the members of the General Assembly.

Mr. McLarning, from the committee on the Judicary, to whom was referred the bill to amend the criminal laws, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The said bill was then amended by way of engrossed ryder.

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. McLarning, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Henry G. Stemmons and wife—reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of the said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The House again resolved itself into a committee of the Whole, on the bill to amend the revenue laws, Mr. Barlow in the chair; and after sometime spent therein, the Speaker resumed the chair, when Mr. Barlow reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

SATURDAY, JANUARY 20, 1849.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, to-wit:

An act to divorce Maria Chapman.

An act to repeal the law repealing an act giving the county of Greenup one road Commissioner.

An act to divorce John and Nancy Eversole.

An act to divorce William Grissum.

An act to divorce Lucinda Haydon.

An act to divorce William Young.

An act for the benefit of John Caudle, of Letcher county.

An act authorising a change of the State road in Lewis county.

An act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.

An act to divorce Henry R. Bishop.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to divorce Hannah Dolan.

An act to divorce Nancy Forbes.

An act to divorce David E. and Lucinda Baker.

An act to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.

An act for the benefit of the Sheriff of Lincoln county.

An act in relation to the Executive Offices.

1. Mr. Harrison presented the memorial of sundry citizens of Christian county, in opposition to a proposed change in a State road in said county.

2. Mr. Pope presented the petition of Eliza C. Carnahan, praying to be divorced from her husband, William C. Carnahan.

3. Mr. Vertress presented the petition of sundry citizens of Elizabethtown, praying the repeal of the act incorporating said town.

4. Mr. Wilson presented the petition of sundry citizens of Scott and Franklin counties, praying the formation of a Common School District out parts of both of said counties.

5. Mr. Beaty presented the petition of sundry citizens of the town of Monticello, praying that an election of Trustees of said town be legalized.

6. Mr. Mason presented the petition of Ambrose R. Wright, Sr., praying to be divorced from his wife, Catharine Wright.

7. Also, the petition of Elizabeth Lewis, praying to be divorced from her husband, Thomas Lewis.

8. Also, the petition of the Bath County Court, praying that an order of said Court, vesting part of the public square in the Trustees of Bath Seminary, be confirmed.

9. Mr. Rodman presented the petition of Elisha Jones, praying that compensation be made him for expenses incurred in arresting and bringing to justice certain felons.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d, 6th and 7th to the committee on Religion; the 3d to the committee on the Judiciary; the 4th to the committee on Education; the 5th to Messrs. Beaty, Woods and Napier; the 8th to Messrs. Mason, Cottle and Headley; and the 9th to the committee on Claims.

Mr. Whitsett moved the following resolution, viz:

Resolved, That when this House adjourns to-day, it will adjourn to meet on Monday, at half past 9 o'clock, A. M., and that the House continue, for the balance of the session, to meet at the same hour.

And the question being taken on adopting the resolution, it was decided in the negative.

Mr. Spurr read and laid on the table the following preamble and resolutions, viz:

WHEREAS, Inducements have been held out to citizens of Kentucky, as

well as other States, by the Federal Government, to engage in the production of water-rotted hemp, for the use of the United States Navy: and, whereas, such inducements have caused a number of the citizens of Kentucky, as well as other hemp-growing States, to engage in this business at much expense: and, whereas, by all the most rigid tests, used at the Government rope-walk at Charlestown, Massachusetts, it has been clearly established, that American hemp can be produced equal to any in the world: and, whereas, by an advertisement of the United States Hemp Agent for Kentucky, published at Lousville, and dated December 30th, 1848, we are fearful of some adverse change in the policy of our Federal Government in regard to this important western interest. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to bring this subject before the attention of Congress, and ask them to take such action as they may deem to be necessary to continue in force the policy which has been pursued for the last two or three years, in regard to this important, but as yet, infant interest.

Resolved, That we would recommend a continuance of the policy which has been pursued in Kentucky, in regard to the mode of purchasing this article, as being most conducive to its future development; contracts for quantities, not less than twenty five (25) tons, being well calculated to place the small producer at the mercy of the speculator, and consequently checking its production.

Resolved, That we recommend the speedy establishment of a rope walk at the Navy Yard at Memphis, Tennessee, for the purpose of manufacturing such quantities of water-rotted hemp as may be produced in the western country, suitable for naval purposes.

Resolved, That the Governor be requested to forward a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress.

The rule requiring joint resolutions to lie one day on the table having been dispensed with, they were twice read and concurred in.

Mr. Robertson read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That special legislation, divorcing husband and wife, is both impolitic and unnecessarily expensive to the Commonwealth.

Resolved, That such legislation, without the consent of both parties, necessarily involves the exercise of the judicial functions prohibited by the Constitution to the Legislative department.

Resolved, therefore, That all applications for divorce, in which both parties do not concur, should be made to the Judiciary Department, to which it appropriately and constitutionally belongs; and that during the present session, this Legislature will not legislate further in any such cases.

Mr. Holton moved the following resolution, viz:

Resolved, That the committee on Internal Improvement be instructed to enquire into the propriety of passing a law exempting steamboats and all other water crafts from paying tolls on the Kentucky, and Green and Barren rivers, whenever, from high water, they pass over the Dams without

going through the Locks, and that said committee report by bill or otherwise.

Which was adopted.

Mr. Towles moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to prepare and bring in a bill to confer on the several Circuit Courts, sitting in Chancery, jurisdiction in applications and petitions for divorce, in all cases wherein said Courts, in the exercise of a sound discretion, shall deem it reasonable and proper that a divorce should be granted; making such decrees and orders as to the distribution of the property, and the maintenance and custody of the children, as may be just and equitable.

Which was adopted.

Mr. Rodman moved the following resolution, viz:

Resolved, That the committee on Education be instructed to enquire into the expediency and propriety of funding the amount of interest now due from the State to the Board of Education, and that they report by bill or otherwise.

Which was adopted.

Mr. Ford, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Kaleb Kash and Robert Wilson, of Morgan county.

An act for the benefit of Henry C. Thomas.

An act to incorporate the Beaver Dam Pond Draining Company.

An act to authorise the Hart County Court to appoint a Constable.

An act to divorce Lucinda Hucklin.

An act to enlarge the powers of the Trustees of the town of Poplar Plains, in Fleming county.

An act for the benefit of the Mechanics of Union county.

An act for the benefit of the Sheriff of Oldham county.

An act giving the city of Maysville the right to hold title to property outside of the city limits.

An act to divorce James O. Nelson.

An act for the benefit of Abigail Wolford.

An act for the benefit of C. P. and Elizabeth Miller.

An act for the benefit of Helen Cannon.

An act for the benefit of Alexander Harreld, Harris Harreld and Edwin Combs.

An act for the benefit of Randolph H. Caldwell, of Logan county.

An act for the benefit of David D. Moore, of Crittenden county.

An act for the benefit of James F. Draine.

An act for the benefit of William Webb, of Grant county.

An act for the benefit of Joseph Franks, and others.

An act for the relief of Jonas Durham.

An act authorising the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.

An act concerning the compensation and settlements of County Treasurers.

An act for the benefit of Conrad Havens.

An act for the relief of James Moody.

An act to change the venue in the prosecutiou against William Boner.

An act confirming a sale of the land of Darwin Johnson, a lunatic.

An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved Feb. 24, 1834.

An act for the benefit of the town of Barbourville.

An act for the benefit of Elizabeth Ellen Swan.

An act for the benefit of William McCoy, and others.

An act to extend the powers of the Trustees of the town of Hartford.

An act for the benefit of Asa B. Gardner, and Jane Gardner, his wife.

An act to repeal an act to authorise the Trustees of Taylorsville to sell water street, and for other purposes.

An act to change the time of holding the Estill County Court.

An act allowing an additional Justice of the Peace to the county of Pike.

An act for the benefit of W. W. Merritt.

An act for the benefit of Buford E. Allen, of Fayette county.

An act for the benefit of Albert A. Boswell, of Graves county.

An act for the benefit of Wilson Hackney.

An act for the benefit of John Janes, and others.

An act for the benefit of Samuel Hogan, of Taylor county.

An act for the benefit of David Snowder, late Sheriff of Owsley county.

An act to authorise the Trustees of the town of Henderson to sell certain public grounds.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Ford inform the Senate thereof.

Mr. Ewing read and laid on the table the following preamble and resolutions, viz:

WHEREAS, Since the decision of the people in favor of calling a Convention, the agitation of the subject of emancipation, always hazardous, has grown up to some extent in different parts of the State: and, whereas, it is believed a large majority of the people are opposed to any immediate action on the subject, and as consequently the discussion of the question before the people must tend only to the creation of new,

and probably more malignant parties than those heretofore existing, and to the distraction of the people and of the Convention, from the legitimate purposes for which that Convention has been called: Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That, in the opinion of this Legislature, the present agitation of the subject of emancipation is premature, and must result in evil and only evil.

Resolved, That the only hope of relief to Kentucky from the vast and acknowledged evils of Slavery, is in a long and gradual course of preparatory legislation, in combination and unison with the private and voluntary effort, and in the ultimate colonization of the blacks beyond the limits of the United States.

Resolved, That in view of the great curse of the free colored population, to any community in which they are incorporated, the early creation of a moderate Sinking Fund, with the purpose of assisting in getting rid of, and colonizing the blacks now free, or such as may hereafter become free, in Kentucky, would be a wise, prudent and laudable expenditure of money by the people of this Commonwealth.

Resolved, That this great cause, in the magnitude of its interest, and in the difficulty of its accomplishment, is worthy of the exertion of the national energies.

Resolved, That our Senators be instructed, and our Representatives be requested to urge upon Congress, the propriety of the creation of a national Sinking Fund, out of the proceeds of the public lands, to aid the efforts, and promote the ends of Colonization, and of contributing to those ends in any other proper manner; and if there be no sufficient constitutional warrant for these purposes, to propose, sustain and press the necessary amendment to the Constitution.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to divorce Isabel T. Humphreys, and for other purposes.

An act to divorce Hezekiah F. Neely.

An act to establish an additional election precinct in Wayne county, and for other purposes.

An act to divorce Elizabeth Wilkinson.

An act for the benefit of Malachi Williams, of Allen county.

An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3, 1817.

An act to amend the act incorporating the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

An act for the benefit of Leslie Combs.

An act to divorce Elizabeth Wiatt.

An act to change the name of Mary Eden to Mary Wilkinson.

An act to change the name of Robert Goodin, and for other purposes.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Noe presented the report of the Board of Commissioners of the Lunatic Asylum at Lexington, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 300 copies of said report, for the use of the members of this House.

Leave was given to bring in the following bills, viz:

On motion of Mr. Dohoney—1. A bill to allow an additional Justice of the Peace to Adair county.

On motion of Mr. J. Davis—2. A bill to establish an election precinct in Allen county.

On motion of Mr. Terrill—3. A bill for the benefit of George Dunn, the present Jailer of McCracken county.

On motion of same—4. A bill for the benefit of the Marshal of the town of Paducah.

On motion of Mr. Whitsett—5. A bill to amend an act, entitled, an act to amend and reduce into one the several acts respecting the militia, approved February 4, 1815.

On motion of Mr. Harreld—6. A bill to extend slack water navigation on Green River.

On motion of Mr. Reiley—7. A bill authorising the county line to be run between Campbell and Pendleton counties.

On motion of Mr. Garred—8. A bill to regulate the pay of jurymen before Justices of the Peace.

On motion of Mr. Eversole—9. A bill to change the line between the counties of Breathitt and Perry.

On motion of Mr. Bledsoe—10. A bill for the benefit of the Trustees of the Marrowbone Free School in Cumberland county.

On motion of same—11. A bill for the benefit of Peter H. Stockton, a lunatic.

On motion of Mr. Spurr—12. A bill to provide for taking the depositions of practicing Physicians, in cases out of the county in which they reside.

On motion of Mr. Harris—13. A bill to define the county lines of Floyd, Lawrence and Pike.

On motion of same—14. A bill to change the time of holding some of the Courts of the 19th Judicial District, and for other purposes.

On motion of same—15. A bill for the benefit of the Sheriff of Floyd county.

On motion of Mr. Holton—16. A bill to incorporate the "Boone Monument Association."

On motion of Mr. Dunlap—17. A bill regulating the fines and forfeitures of the town of Lancaster.

On motion of Mr. Vaughan—18. A bill to make Walter Winston Anderson, capable of inheriting from his father, Alfred Anderson.

On motion of Mr. Swan—19. A bill to incorporate West Point Academy and Barker Lodge, in Hardin county.

On motion of Mr. Thompson—20. A bill for the benefit of Michael Hall, of Hart county.

On motion of Mr. Miller—21. A bill to repeal the road law of Jefferson county, approved March 1st, 1848.

On motion of same—22. A bill to abolish capital punishment.

On motion of Mr. Word—23. A bill to increase the revenue.

On motion of Mr. Jackson—24. A bill for the benefit of Benjamin Catching, of Laurel county.

On motion of Mr. Garland—25. A bill to allow the County Court of Lewis to apply the proceeds of the sale of the lands in said county to the improvement of the Kinnacanick.

On motion of Mr. Napier—26. A bill to provide for the payment of jurors in rioting cases, and other purposes.

On motion of Mr. Boarman—27. A bill to improve the downward navigation of the Rolling Fork.

On motion of Mr. Bickley—28. A bill to charter the Bank of Maysville.

On motion of Mr. Jefferson—29. A bill to incorporate the Maysville Linen Company.

On motion of Mr. Wilson—30. A bill for the benefit of William Gathright and others, of Oldham county.

On motion of Mr. Records—31. A bill regulating Elections, and the duties of County Court Clerks.

On motion of same—32. A bill authorizing the acknowledgment of deeds, relinquishment of dowers, &c., before Justices of the Peace.

On motion of same—33. A bill asking an appropriation to Licking river.

On motion of Mr. Woods—34. A bill for the benefit of Cyrenus Clouch, of Pulaski county.

On motion of Mr. Huston—35. A bill further to define the duties and powers of the Trustees of the town of Taylorsville.

On motion of Mr. Bibb—36. A bill to enlarge the Haydensville Constable district in the county of Todd.

On motion of Mr. Barbee—37. A bill to establish an election precinct in the county of Taylor, and for other purposes.

On motion of Mr. Noe—38. A bill for the benefit of Spottswood Wilkinson, of Trigg county.

On motion of same—39. A bill for the benefit of Frederick Maberry, of Ballard county.

On motion of Mr. Hughes—40. A bill to establish one grand and nine subordinate Boards of Physicians.

On motion of Mr. Underwood—41. A bill for the benefit of the individual stockholders in the Nashville and Louisville Turnpike Road between Bardstown and Bowlinggreen, and Bowlinggreen and the State line.

On motion of Mr. Grundy—42. A bill to extend the limits of the town of Salvisa, in Mercer county.

On motion of Mr. S. Stevens—43. A bill to revive an act, entitled, an act to incorporate a turnpike road from Lancaster to Crab Orchard.

On motion of same—44. A bill for the benefit of Catharine Cox, and others.

Ordered, That Messrs. Dohoney, Barlow and Johnson prepare and bring in the 1st; Messrs. J. Davis, Underwood and Thompson the 2nd; the committee on Ways and Means the 3d, 15th, 23d and 30th; the committee on the Judiciary the 4th, 11th, 12th, 14th, 17th, 22nd, 24th and 32d; Messrs. Whitsett, Crenshaw and Barlow the 5th; the committee on Internal Improvement the 6th, 27th, 33d and 41st; the committee on Propositions and Grievances the 7th, 9th, 34th, 38th and 39th; Messrs. Garred, Garland and J. W. Davis the 8th; the committee on Education the 10th; Messrs. Harris, Hughes and Towles the 13th; Messrs. Holton, Pope and Hughes the 16th; Messrs. Vaughn, Barlow and Dohoney the 18th; Messrs. Swan, Vertress and J. Stuart the 19th; Messrs. Thompson, Vaughn and Rodman the 20th; Messrs. Miller, Speed and R. G. Lewis the 21st; Messrs. Garland, Harris and J. W. Davis the 25th; Messrs. Napier, Anderson and Woods the 26th; the committee on Banks the 28th; Messrs. Jefferson, Huston, Bickley and Blair the 29th; the committee on Privileges and Elections the 31st and 37th; Messrs. Huston, Jefferson and Best the 35th; Messrs. Bibb, Ewing and Murphy the 36th; Messrs. Hughes, Noe, Rodman, Spurr, Whitsett and Johnson the 40th; Messrs. Grundy, W. Daviess and Pope the 42d; Messrs. S. Stevens, Dunlap, Napier, Woods and Word the 43d; and Messrs. S. Stevens, Beaty and Dunlap the 44th.

Mr. Towles moved a reconsideration of the vote rejecting the bill for the benefit of the heirs of Hiram Beazly, deceased.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, announcing that he had

approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of the Sheriff of Graves county.

An act for the benefit of Francis Gowdy.

An act for the benefit of William Sims, of Monroe county.

An act for the benefit of Martin Fugate, late Sheriff of Pendleton county.

An act to change the name of Polly Ann Phipps to that of Polly Ann Lynch, and for other purposes.

An act to change the Bowlinggreen and Adairsville State road.

An act for the benefit of Jonathan W. Rice, of Logan county.

An act to authorize T. M. Lillard to bring a negro boy into this State.

An act for the benefit of the Sheriff of Bourbon county.

An act for the benefit of James Herreford.

An act for the benefit of the estate of William Buckner, deceased.

An act to empower the County Court of Pike to appropriate the vacant lands in said county, to the improvement of the rivers in said county.

Approved January 18, 1849.

Mr. Hite moved the following resolution, viz:

Resolved, That the committee on Internal Improvement inquire into the propriety and expediency of better equalizing the toll on the Turnpike Road leading from Louisville to Bardstown, and that they report by bill or otherwise. Which was adopted.

Mr. Hite offered the following resolution, viz:

Resolved, That the committee on Military Affairs inquire into the propriety and expediency of so amending the Militia Laws, as to dispense with all musters and parades, save one company muster each year, for the purpose of ascertaining the militia strength, and state of the arms of those subject to militia duty.

Which was adopted.

On motion of Mr. Wilson, leave of absence, until Tuesday next, was granted to Mr. Bassett.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Best—1. A bill to authorize the Bracken County Court to lay the levy at their January, February or March term.

By Mr. Thomas—2. A bill for the benefit of the School Commissioners of Casey county.

My Mr. Smith—3. A bill to amend an act, entitled, an act for the benefit of William Calmes, approved March 7th, 1847.

By Mr. McLarning—4. A bill further to provide for the erection of the Second Kentucky Lunatic Asylum.

By Mr. Harris—5. A bill declaring certain streams in Floyd, and other counties, navigable.

By same—6. A bill to amend the law in relation to private passways, in Pike county.

By Mr. Swan—7. A bill for the benefit of William Bethell.

By Mr. Newell—8. A bill for the benefit of Polly Watson.

By Mr. Rodman—9. A bill to authorize Larue county to use the jail of Hardin county.

By Mr. Rhea—10. A bill to change the place of voting in an election precinct in Butler county.

By Mr. Barlow—11. A bill to allow an additional Justice of the Peace to the county of Muhlenburg.

By same—12. A bill for the benefit of William Blair.

By same—13. A bill to incorporate the Kinnacanick Bridge Company.

By Mr. M. Stewart—14. A bill to incorporate the Mount Sterling and Red River Railroad Company.

By Mr. Holladay—15. A bill for the benefit of Elizabeth and Asa Hiatt.

By Mr. Woods—16. A bill to change an election precinct in Pulaski county.

By same—17. A bill for the relief of Henry D., and Hezekiah Gilmore, infant heirs of Winston Gilmore, deceased.

By Mr. Bibb—18. A bill to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.

By same—19. A bill to exempt additional property from execution.

By Mr. Hughes—20. A bill for the benefit of the trustees of Morganfield.

By same—21. A bill to incorporate the Henderson Cemetery Company.

By Mr. Underwood—22. A bill to amend the act to regulate the administration and settlement of estates, approved February 20, 1839.

By Mr. Beaty—23. A bill to amend an act, approved 26th of February, 1848, incorporating the town of Monticello.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 20th, 21st and 23d were severally ordered to be engrossed and read a third time; the 4th was referred to a committee of the whole House, and made the special order of the day for Thursday next; the 5th was referred to the committee on Internal Improvement; the 8th to the committee on Ways and Means; and the 19th and 22d to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th,

19th, 20th, 21st and 23d bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill for the use of the members of the General Assembly.

Mr. Huston read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That after the Convention shall have met, as pointed out by an act passed at the present session of the Legislature, for the purpose of "re-adopting, amending, or changing," the present Constitution of this State, and shall have agreed upon the same, that in the opinion of this Legislature, it is the expressed will and desire of the people of this Commonwealth, that the action of said Convention be referred back to them for their approval or rejection.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The question was then taken on the adoption of said resolution, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rhea and Bledsoe, were as follows viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Newell,
Messrs. Anderson,	Hardin,	Pope,
Barlow,	Harreld,	Records,
Barnes,	Harrison,	Reiley,
Beaty,	Harris,	Reynolds,
Best,	Hayden,	Rhea,
Bibb,	Headley,	Rodman,
Bickley,	Hite,	Sherwood,
Blair,	Holladay,	Smith,
Bledsoe,	Holton,	Spurr,
Boarman,	Hughes,	Stevens, J.
Butler,	Huston,	Stevens, S.
Cargill,	Jackson,	Stewart, M.
Chenault,	Jefferson,	Stuart, J.
Collins,	Johnson,	Swan,
Conklin,	Jones,	Terrill,
Cottle,	Leonard,	Thomas,
Crenshaw,	Lewis, D. P.	Thompson,
Daviess, W.	Lewis, R. G.	Towles,
Davis, J. W.	Logan,	Turner,
Davis, J.	Lucas,	Underwood,
Dodds,	Magruder,	Vaughan,
Dohoney,	Mason,	Vertress,
Dunlap,	McClarty,	Vickers,
Eubank,	McConnell,	Wallace,
Eversole,	McFarland,	Whitsett,
Ewing,	McLarning,	Wilson,

Ford, Miller, Woods,
Garland, Murphy, Word—89.
Garred, Napier,

Those who voted in the negative, were—

Messrs. Alexander, Morris, Noe—4.
Barbee,

And then the House adjourned.

MONDAY, JANUARY 22, 1849.

A message was received from the Senate, announcing their disagreement to bills from this House of the following titles, viz:

An act changing the mode of taking the depositions of non-resident witnesses in Chancery Causes.

An act to amend Chancery Practice.

That they had passed bills from this House of the following titles, viz:

An act for the benefit of Samuel Dews, of Spencer county.

An act concerning the town of Lancaster.

An act for the benefit of Reuben Brison.

An act for the benefit of Julia E. Crowdus.

An act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.

An act for the benefit of John Carr, a lunatic.

With amendments to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend the Charter of the Louisville Marine and Fire Insuruance Company.

An act to amend the law relating to Pedlers.

An act to amend an act concerning strays, approved March 1st, 1847.

An act requiring certain papers to be conveyed from the Butler to the Allen Circuit Court.

An act to establish the office of Police Judge, in the town of Harrisonville, in Shelby county.

An act for the benefit of John J. Greenwade, and Mary Jane, his wife.

An act for the benefit of Middletown, in Jefferson county, and for other purposes.

An act to incorporate the Maysville Gas Light Company.

An act to incorporate the Maysville Cemetery Company.

1. Mr. Towles presented the petition of George W. King, praying that compensation be made him for a mill seat destroyed by slack water on Green river.

2. Also, the petition of the Cumberland Presbyterian Church, in Henderson, praying the passage of an act incorporating said church.

3. Harrison presented the petition of sundry citizens of Christian and Muhlenburg counties, praying a repeal of the law declaring Pond river a navigable stream above a certain point.

4. Mr. Thompson presented the petition of the members of the Bethlehem Baptist Church, in Hart county, praying the passage of an act incorporating said church.

5. Mr. Underwood presented the petition of sundry citizens of the town of Bowlinggreen, praying the passage of a law authorizing the Trustees of said town to open streets and alleys, and for other purposes.

6. Also, the petition of John Cole, for a divorce from his wife, Mary Cole.

7. Also, the petition of Mary E. Taylor, for a divorce from her husband, Chesler J. Taylor.

8. Mr. J. Stuart presented the petition of H. L. Board, guardian of Elizabeth E. Clark, praying that permission be given him to sell certain slaves belonging to his ward.

9. Also, the petition of John C. Walker, guardian of Henry Ditto, praying that permission be given him to sell a slave belonging to his ward.

10. Mr. Murphy presented the petition of Eli Jester, praying for a divorce from his wife, Catharine A. Jester.

11. Mr. McConnell presented the petition of Rufus P. Dodds, praying that permission be given him to import into this State a slave.

12. Mr. Ford presented the the petition of William P. Hart, praying that a change of venue be granted him in the prosecution pending against him in the Ohio Circuit Court, for murder.

13. Mr. Eversole presented the petition of John Morris and Job Allen, praying that compensation be made them for expenses incurred in endeavoring to discover the murderer of Frank Prewett.

14. Mr. Bibb presented the petition of Elizabeth Green, praying for a divorce from her husband, Robert E. Green.

15. Mr. Alexander presented the petition of Young Barton, praying that a change of venue be granted him in the prosecution pending against him in the Jefferson Circuit Court, for manslaughter.

16. Also, the petition of Aaron Hostutter, praying a change of venue in the prosecution pending against him in the Jefferson Circuit Court, for larceny.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on Internal Improvement; the 2d, 4th, 6th, 7th, 10th and 14th to the committee on Religion; the 5th and 11th to the committee on Propositions and Grievances; the 8th to Messrs. J. Stuart, Vertress and Conklin; the 9th to Messrs. J. Stuart, Barnes and Swan; the 12th, 15th and 16th to the committee on the Judiciary, and the 13th to the committee on Claims.

Mr. Alexander moved a reconsideration of the vote rejecting the bill concerning the law of evidence.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of the Clerk of the Muhlenburg County Court.
2. An act for the benefit of Robert Stockton and his children.
3. An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.
4. An act to extend the time of surveying and returning Kentucky Land Office Warrants to the Register's Office.
5. An act to legalize the election of Trustees for the town of Nicholasville.
6. An act to establish an election precinct in Casey county.
7. An act to divorce Louisa Jane Lafayette Usrey, of Marshall county.
8. An act to divorce Walter Jones and wife.
9. An act for the benefit of James Bartrum.
10. An act granting a change of venue to William Burns.
11. An act for the benefit of the heirs of Richard Lowe, deceased.
12. An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.
13. An act for the benefit of Jack Hardin and B. Mills Crenshaw.
14. An act declaring the Garrard Banner, Lexington Atlas, and Louisville Chronicle, public authorized newspapers.
15. An act to add a part of a street in Cynthiana to the Cemetery of said town.
16. An act for the benefit of Elizabeth Hopkins and William H. Ritchie.
17. An act for the benefit of Zilla Goldsberry.
18. An act for the benefit of Robert B. Semple.
19. An act for the benefit of certain School Districts in this State.
20. An act to repeal an act, entitled, an act to prevent the sale of spiritous liquors in the town of Lagrange, and one mile therefrom, approved January 29, 1846.
21. An act in relation to the Clerks of the Marshall Circuit and County Courts.

22. An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county.

23. An act for the benefit of the heirs of Singleton G. Davis.

24. An act for the benefit of the Clerk of the Marshall County and Circuit Courts.

25. An act for the benefit of Richard Salmon, and his children.

26. An act for the benefit of Jane Duddy.

27. An act for the benefit of John Cunningham.

28. An act for the benefit of Thomas Crowder.

29. An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.

30. An act to repeal all acts prohibiting the circulation, in this Commonwealth of Bank notes of less denomination than five dollars.

31. An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

32. An act to change the Fall Term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

33. An act for the benefit of John M. Fraim, of Monroe county.

34. An act for the benefit of James L. Turman and John L. Price.

35. An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

36. An act for the benefit of the widow and heirs of Henry C. Hazlewood, deceased.

37. An act for the benefit of the Bourbon County Agricultural Society.

38. An act for the benefit of Edwin Trimble.

39. An act for the benefit of William Cecil.

40. An act to provide for a change of venue in the prosecution against Thomas Smith.

41. An act for the benefit of William L. Owens, and others.

42. An act for the benefit of George Conlin and Amanda Bileter.

43. An act for the benefit of David Pirtle.

44. An act to divorce Joseph Howard.

45. An act for the benefit of John Fible, of Oldham county.

46. An act for the benefit of the Sheriff of Hopkins county.

47. An act for the benefit of the former and present Sheriffs of Crittenden county.

48. An act for the benefit of John D. Locke's children.

49. An act for the benefit of Ira H. and William George.

50. An act for the benefit of David I. Caldwell, and his wife and children.

51. An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.

52. An act for the benefit of Gilson P. Snelling.

53. An act to divorce Hannah Dolan.

54. An act to divorce Nancy Forbes.

55. An act to divorce David E. and Lucinda Baker.

56. An act to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Road Company.

57. An act for the benefit of the Sheriff of Lincoln county.

58. An act in relation to the Executive Offices.

59. An act to amend the charter of the Louisville Marine and Fire Insurance Company.

60. An act to amend the law relating to Pedlers.

61. An act to amend an act concerning strays, approved March 1, 1847.

62. An act to require certain papers to be conveyed from the Butler to the Allen Circuit Court.

63. An act to establish the office of Police Judge in the town of Harrisonville, in Shelby county.

64. An act for the benefit of John J. Greenwade, and Mary, his wife.

65. An act for the benefit of Middletown, in Jefferson county, and for other purposes.

66. An act to incorporate the Maysville Gas Light Company.

67. An act to incorporate the Maysville Cemetery Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 11th, 14th, 23d and 29th were severally ordered to be read a third time; the 4th and 60th were referred to the committee on Ways and Means; the 7th, 8th, 12th, 16th, 17th, 18th, 26th, 27th, 28th, 41st, 42d, 43d, 44th, 53d, 54th and 55th to the committtee on Religion; the 9th, 20th, 33d, 34th and 52d to the committee on Propositions and Grievances; the 10th, 15th, 21st, 22d, 24th, 25th, 30th, 31st, 32d, 35th, 36th, 38th, 40th, 48th, 49th, 50th, 51st, 59th, 61st, 62d, 63d, 64th, 65th, 66th and 67th to the committee on the Judiciary; the 13th, 39th and 45th to the committee on Claims; the 19th to the committee on Education; the 37th to the committee on Agriculture and Manufactures; the 46th, 47th and 57th to the committee on Military Affairs; the 56th to the committee on Internal Improvement; and the 58th to the committee on Public Offices.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th, 11th, 14th, 23d and 29th bills having been dispensed with,

Resolved, That the said bills do pass, and that he titles thereof be as aforesaid.

The House then resolved itself into a committee of the Whole, on the resolution from the Senate fixing a day for the election of a United

States Senator in Congress, Mr. Hughes in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Hughes reported that the committee had, according to order, had under consideration the resolution aforesaid, and had instructed him to report the same to to the House, without amendment, which he handed in at the Clerks table.

Mr. Beaty moved to amend said resolution by striking out "first day of February."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Beaty and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barnes,	Hite,	Pope,
Beaty,	Holladay,	Reynolds,
Best,	Holton,	Rhea,
Bibb,	Hughes,	Rodman,
Bickley,	Jefferson,	Smith,
Blair,	Jones,	Spurr,
Bledsoe,	Lewis, D. P.	Stevens, S.
Boarman,	Lewis, R. G.	Stewart, M.
Collins,	Magruder,	Stuart, J.
Crenshaw,	McFarland,	Thomas,
Ewing,	McLarning,	Underwood,
Ford,	Murphy,	Whitsett,
Harreld,	Napier,	Woods—40.
Hayden,		

Those who voted in the negative, were—

Mr. Speaker,	Garred.	Newell,
Messrs. Alexander,	Grundy,	Noe,
Anderson,	Hardin,	Records,
Barbee,	Harrison,	Reiley,
Barlow,	Harris,	Sherwood,
Butler,	Headley,	Stevens, J.
Cargill,	Huston,	Swan,
Chenault,	Jackson,	Terrill,
Conklin,	Johnson,	Thompson,
Cottle,	Leonard,	Towles,
Davis, J.	Logan,	Turner,
Davis, J. W.	Lucas,	Vaughan,
Dodds,	Mason,	Vertress.
Dohoney,	McClarty,	Vickers,
Dunlap,	McConnell,	Wallace,
Eubank,	Miller,	Wilson,
Eversole,	Morris,	Word—52.
Garland,		

The said resolution was then concurred in.

Ordered, That the resolution from the Senate, providing for the appointment of Reporters to report the proceedings of the Convention, be referred to the committee on Ways and Means.

The House then took up the resolution from the Senate, fixing a day for the election of Public Officers.

The said resolution was then amended, and as amended was twice read and concurred in.

The resolution from the Senate, concerning the committee on Banks, was taken up, twice read and concurred in.

On motion of Mr. Hayden, leave was given to bring in a bill to increase the powers of the Trustees of the town of Versailles.

Ordered, That the committee on the Judiciary prepare and bring in the same.

And then the House adjourned.

TUESDAY, JANUARY 23, 1849.

A message was received from the Senate, announcing the passage of bills from this House of the following titles, viz:

An act to divorce Louisa Green.

An act to divorce Nancy Murphy.

An act to authorise Larue county to use the jail of Hardin county.

An act allowing an additional Justice of the Peace to Muhlenburg county.

An act to incorporate the Kinnacanick Bridge Company.

An act for the benefit of Elizabeth and Asa Hiatt.

That they had passed bills of the following titles, viz:

An act providing for the distribution of the undistributed copies of the militia laws of this State, and the exercise and instruction of field artillery and abstract of infantry tactics.

An act to divorce Edward S. Bowman and Hickerson Smith.

An act to divorce Hannah Plank, of Nicholas county.

An act to run and mark the line between the counties of Crittenden and Caldwell.

An act for the benefit of the town of Greenville, in Muhlenburg county.

An act to correct an omission of the Clerk of the Garrard Circuit Court.

1. Mr. Anderson presented the petition of sundry citizens of Boyle county, praying the establishment of a new Constable's District.

2. Mr. Hughes presented the petition of sundry citizens of Union county, praying the repeal of the charter of Augusta College.

3. Also, the petition of John Cox, praying a divorce from his wife, Nancy Cox.

4. Mr. Pope presented the memorial of sundry citizens of the city of Louisville, praying the repeal of one of the provisions of the charter of said city.

5. Mr. Swan presented the petition of sundry citizens of Hardin county, praying the repeal of the charter of Augusta College.

6. Mr. Holton presented the petition of Joel Thomasson, praying to be released from a bond given to the Board of Internal Improvement to refund a sum of money, in case the obstruction to his mill by slack water should be removed.

7. Mr. Robertson presented the petition of Sarah A. Briggs, praying to be divorced from her husband, Gray Briggs.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Anderson, Chenault and Napier; the 2d, 4th and 5th to the committee on the Judiciary; the 3d and 7th to the committee on Religion; and the 6th to the committee on Internal Improvement.

Mr. John W. Menzies, the member returned to serve in this House from the county of Kenton, in place of Herman J. Groesbeck, resigned, appeared, and having produced a certificate of his election, and having taken the oath prescribed by the Constitution of the United States and the Constitution and Laws of this State, took his seat.

Mr. Pope, from the committee on Internal Improvement, to whom was referred a bill to authorise the County Court of Greenup to establish a ferry in said county, reported the same without amendment.

The question was then put on ordering said bill to be engrossed and read a third time.

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to the resolution from the Senate, fixing a day for the election of Public Officers.

A message was received from the Senate, by Mr. J. Speed Smith, announcing that the Senate was ready to proceed to the election of Public Officers, in accordance with the joint resolution.

Ordered, That Mr. Towles inform the Senate that this House is also ready to proceed with said election.

Mr. Towles nominated Mr. Samuel Todd as a suitable person to fill the office of Treasurer; Mr. Hughes nominated Mr. Richard C. Wintersmith; and Mr. Underwood nominated Mr. B. B. Crump; and after inter-

changing nominations, the House proceeded to take the vote, which stood thus:

Those who voted for Mr. Todd, were—

Messrs. Bassett, Boarman, Butler, Chenault, Hayden, Holladay, Holton, Huston, Logan, Lucas, Murphy, Records, Sherwood, Spurr, Towles, Wilson—16.

Those who voted for Mr. Wintersmith, were—

Mr. Speaker,
Messrs. Alexander, Anderson, Barbee, Barnes, Conklin, Cottle, Daviess, W. Davis, J. W. Dunlap, Ewing, Ford, Garland, Gordon, Grundy, Hardin, Harreld, Harrison, Headley, Hite, Hughes, Jefferson, Johnson, Jones, Magruder, McClarty, McFarland, Menzies, Miller, Morris, Noe, Pope, Reiley, Reynolds, Rhea, Rodman, Smith, Speed, Stuart, J. Swan, Terrill, Thomas, Thompson, Turner, Vertress, Vickers, Wallace—47.

Those who voted for Mr. Crump, were—

Messrs. Barlow, Beaty, Best, Bibb, Bickley, Blair, Bledsoe, Cargill, Collins, Crenshaw, Davis, J. Dodds, Dohoney, Eubank, Eversole, Garred, Harris, Jackson, Lewis, D. P. Lewis, R. G. Mason, McConnell, McLarning, Napier, Newell, Robertson, Shawhan, Stevens, J. Stevens, S. Stewart, M. Underwood, Vaughan, Whitsett, Woods, Word—35.

Messrs. Hughes, Huston and Butler, was appointed a committee on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Hughes, from said committee, reported that the joint vote stood thus:

For Mr. Todd, - - - - - - - - - - - 27
For Mr. Wintersmith, - - - - - - - - - - 57
For Mr. Crump, - - - - - - - - - - - 51

Mr. Towles then withdrew the nomination of Mr. Todd.

No one on nomination having received a majority of all the votes given, the House proceeded to another vote between those remaining on nomination, and it stood thus:

Those who voted for Mr. Wintersmith, were—

Mr. Speaker,	Harrison,	Noe,
Messrs. Alexander,	Harris,	Pope,
Anderson,	Hayden,	Records,
Barbee,	Headley,	Reiley,
Barnes,	Hite,	Reynolds,
Bassett,	Holladay,	Rodman,
Boarman,	Hughes,	Sherwood,
Butler,	Huston,	Smith,
Conklin,	Jefferson,	Speed,
Cottle,	Johnson,	Spurr,
Daviess, W.	Jones,	Stuart, J.
Davis, J. W.	Logan,	Swan,
Dunlap,	Lucas,	Terrill,
Ewing,	Magruder,	Thomas,
Ford,	McClarty,	Thompson,
Garland,	McFarland,	Turner,
Garred,	Menzies,	Vertress,
Gordon,	Miller,	Vickers,
Grundy,	Morris,	Wallace,
Hardin,	Murphy,	Wilson—61.
Harreld,		

Those who voted for Mr. Crump, were—

Messrs. Barlow,	Dohoney,	Rhea,
Beaty,	Eubank,	Robertson,
Best,	Eversole,	Shawhan,
Bibb,	Holton,	Stevens, J.
Bickley,	Jackson,	Stevens, S.
Blair,	Lewis, D. P.	Stewart, M.
Bledsoe,	Lewis, R. G.	Towles,
Cargill,	Mason,	Underwood,
Chenault,	McConnell,	Vaughan,
Collins,	McLarning,	Whitsett,
Crenshaw,	Napier,	Woods,
Davis, J.	Newell,	Word—37.
Dodds,		

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Hughes, from said committee, reported that the joint vote stood thus:

For Mr. Wintersmith, - - - - - - - - - - -	75
For Mr. Crump, - - - - - - - - - - -	60

Whereupon, Mr. Wintersmith having received a majority of all the votes given, was declared duly elected Treasurer of this Commonwealth for the ensuing year.

The House then proceeded to the election of Public Printer.

Mr. Towles nominated Messrs. A. G. Hodges & Co., and Mr. Johnson nominated Mr. William Tanner; and after interchanging nominations, the House proceeded to take the vote, which stood thus:

Those who voted for Messrs. A. G. Hodges & Co., were—

Mr. Speaker,	Hardin,	Pope,
Messrs. Alexander,	Harreld,	Reynolds,
Anderson,	Harrison,	Rhea,
Barnes,	Hayden,	Robertson,
Beaty,	Hite,	Rodman,
Best,	Holladay,	Smith,
Bibb,	Holton,	Speed,
Bickley,	Hughes,	Spurr,
Blair,	Huston,	Stevens, S.
Bledsoe,	Jefferson,	Stewart, M.
Boarman,	Jones,	Stuart, J.
Chenault,	Lewis, D. P.	Swan,
Collins,	Lewis, R. G.	Terrill,
Conklin,	Magruder,	Thomas,
Crenshaw,	McClarty,	Towles,
Dunlap,	McFarland,	Turner,
Eubank,	McLarning,	Underwood,
Eversole,	Menzies,	Vertress,
Ewing,	Miller,	Whitsett,
Ford,	Morris,	Woods,
Garred,	Murphy,	Word—65.
Gordon,	Napier,	

Those who voted for Mr. Tanner, were—

Messrs. Barbee,	Garland,	Noe,
Barlow,	Grundy,	Records,
Bassett,	Harris,	Reiley,
Butler,	Headley,	Shawhan,
Cargill,	Jackson,	Sherwood,
Cottle,	Johnson,	Stevens, J.
Daviess, W.	Logan,	Thompson,
Davis, J. W.	Lucas,	Vaughan,
Davis, J.	Mason,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—33.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Hughes, from said committee, reported that the joint vote stood thus:

For Messrs. A. G. Hodges & Co., - - - - - - - - 92
For Mr. William Tanner, - - - - - - - - 43

Whereupon, Messrs. A. G. Hodges & Co. were declared duly elected Public Printers for the ensuing year.

The House then proceeded to the election of a Librarian.

Mr. Hughes nominated Mr. Richard Harlan, and Mr. Eubank nominated Mr. A. Tarrant; and after interchanging nominations, the House proceeded to take a vote, which stood thus:

Those who voted for Mr. Harlan, were—

Mr. Speaker,	Gordon,	Morris,
Messrs. Alexander,	Napier,	Noe,
Anderson,	Grundy,	Pope,
Barbee,	Hardin,	Records,
Barlow,	Harrison,	Reynolds,
Barnes,	Gordon,	Robertson,
Bassett,	Harris,	Rodman,
Beaty,	Hayden,	Shawhan,
Best,	Headley,	Smith,
Bibb,	Hite,	Speed,
Bickley,	Holladay,	Spurr,
Blair,	Holton,	Stevens, J.
Bledsoe,	Hughes,	Stewart, M.
Boarman,	Huston,	Stuart, J.
Butler,	Jefferson,	Swan,
Cargill,	Jones,	Terrill,
Chenault,	Lewis, D. P.	Thomas,
Conklin,	Lewis, R. G.	Thompson,
Cottle,	Logan,	Towles,
Daviess, W.	Magruder,	Turner,
Davis, J. W.	Mason,	Underwood,
Dodds,	McClarty,	Vaughan,
Dohoney,	McFarland,	Vertress,
Dunlap,	McLarning,	Wallace,
Eversole,	Menzies,	Wilson—76.
Ewing,	Miller,	

Those who voted for Mr. Tarrant, were—

Messrs. Collins,	Harreld,	Reiley,
Crenshaw,	Jackson,	Rhea,
Davis, J.	Johnson,	Sherwood,
Eubank,	Lucas,	Stevens, S.
Ford,	McConnell,	Vickers,
Garland,	Murphy,	Woods,
Garred,	Newell,	Word—21.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Hughes, from said committee, reported that the joint votestood thus:

For Mr. Harlan, - - - - - - - - - - - 102
For Mr. Tarrant, - - - - - - - - - - - 32

Whereupon Mr. Harlan was declared duly elected Librarian for the ensuing year.

The House then proceeded to the election of a Director of the Lunatic Asylum.

Mr. Noe nominated Mr. Richard Pindell as a proper person to fill the office; and after interchanging nominations, the House proceeded to take the vote, when Mr. Pindell received the unanimous vote of this House.

The same committee were appointed to compare the joint vote and report the result.

After a short time, Mr. Hughes, from the said committee, reported that Mr. Richard Pindell had received the unanimous vote of both Houses.

Whereupon Mr. Pindell was declared duly elected Director of the Lunatic Asylum.

A message was received from the Governor, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of Randolph H. Caldwell, of Logan county.

An act for the benefit of Alexander Harald, Harris Harald and Edwin Combs.

An act to incorporate the Beaver Dam Pond Draining Company.

An act for the benefit of the Mechanics of Union county.

An act for the benefit of Joseph Franks, and others.

An act for the benefit of William Webb, of Grant county.

An act authorising the Mason County Court to apply a certain part of the road tax to the Helena Turnpike Road, in said county.

An act for the benefit of Jonas Durham.

An act for the benefit of the Sheriff of Oldham county.

An act giving the city of Maysville the right to hold title to property outside of the city limits.

An act for the benefit of Abigail Wolford.

An act to divorce James O. Nelson.

An act for the benefit of Elizabeth Ellen Swan.

An act for the benefit of the town of Barbourville.

An act for the benefit of Conrad Havens.

An act concerning the compensation and settlements of county Treasurers.

An act for the benefit of Asa B. Gardner, and Jane Gardner, his wife.

An act to repeal an act to authorise the Trustees of Taylorsville to sell Water street, and for other purposes.

An act for the benefit of W. W. Merritt.

An act for the benefit of Buford E. Allen, of Fayette county.

An act for the benefit of David Snowden, late Sheriff of Owsley county.

An act to authorise the Trustees of the town of Henderson to sell certain public grounds.

An act to change the venue in the prosecution against William Boner.

An act for the relief of James Moody.

An act to amend an act, entitled, an act regulating the mode of settling the accounts of executors, administrators and guardians, approved Feb. 24, 1834.

An act confirming the sale of the land of Darwin Johnson, a lunatic.

An act to extend the powers of the Trustees of the town of Hartford.

An act for the benefit of William McCoy, and others.

An act allowing an additional Justice of the Peace to the county of Pike.

An act to change the time of holding the Estill County Court.

An act for the benefit of Wilson Hackney.

An act for the benefit of Albert A. Boswell, of Graves county.

An act for the benefit of John Janes, and others.

An act for the benefit of Samuel Hogan, of Taylor county.

An act for the benefit of Henry C. Thomas.

An act for the benefit of Caleb Kash, and Robert Wilson, of Morgan county.

An act for the benefit of C. P. and Elizabeth Miller.

An act for the benefit of Helen Cannon.

An act for the benefit of David D. Moore, of Crittenden county.

An act for the benefit of James F. Drane.

An act to authorize the Hart County Court to appoint a Constable.

An act to increase the powers of the Trustees of the town of Poplar Plains, in Fleming county.

An act to divorce Lucinda Hicklin.

Approved January 22, 1849.

A message was received from the Senate, announcing that they had adopted a resolution to unite in the funeral obsequies of the late Capt. W. S. Harris.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

The said resolution was twice read and concurred in.

On motion of Mr. Underwood,

Resolved, That the use of this Hall be tendered to the Rev. R. J. Breckinridge, Superintendent of Public Instruction, to deliver an address on to-morrow evening, on the subject of Common Schools.

A bill from the Senate, entitled, an act to correct an omission of the Clerk of the Garrard Circuit Court, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, JANUARY 24, 1849.

1. Mr. Noe presented the petition of Anderson Sizemore, praying to be divorced from his wife.

2. Mr. Pope presented the petition of Sarah N. Applegate, praying to be divorced from her husband, Thomas A. Applegate.

3. Also, the memorial of sundry citizens of the city of Louisville, praying a repeal in part of the city charter.

4. Mr. Holladay presented the petition of William Smith, praying to be divorced from his wife, Margaret Smith.

5. Mr. Dohoney presented the petition of sundry citizens of Adair county, praying the passage of a law allowing the County Court of Adair to make an appropriation for the support of John Gooden.

6. Mr. Bassett presented the petition of Margaret Frazier, praying a divorce from her husband, James Frazier.

7. Mr. Woods presented the petition of James Marsee, and sundry others of Pulaski county, praying that the said Marsee be allowed to peddle goods without license.

8. Mr. Hite presented the petition of sundry citizens, praying a repeal of the charter of Augusta College.

9. Mr. Bickley presented the petition of the Trustees of the town of Washington, praying that the County Court of Mason may be permitted to convey to them the public ground in said town.

10. Also, the petition of the President and Directors of the Maysville and Bracken Turnpike Road, praying that the State will assume a debt due by them to contractors on said road.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 4th and 6th to the committee on Religion; the 3d and 9th to the committee on Propositions and Grievances; the 5th to Messrs. Dohoney, Butler and J. W. Davis; the 7th to Messrs. Woods, Beaty and S. Stevens;

the 8th to the committee on the Judiciary; and the 10th to the committee on Internal Improvement.

The Speaker laid before the House a communication from Peter Dudley, which is as follows, viz:

TREASURY DEPARTMENT,
Frankfort, January 24, 1849.

SIR: An election for Treasurer, by the Legislature, having resulted in a choice, I am happily relieved from the responsibilities of the office; and entertaining the opinion that authority for further *official* action on my part is at least of *doubtful* construction, I request that a committee be appointed to settle my accounts, and receive the money, books, papers, &c., belonging to the Department.

That the public interest shall not suffer until the Treasurer elect is duly qualified to act, I have made an arrangement with the Cashier of the Frankfort Branch Bank to take up any warrants that may be issued by the Auditors; and the law already provides a remedy for those having payments to make into the Treasury.

I am, very respectfully,
P. DUDLEY.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

On motion of Mr. Menzies, leave was given to bring in a bill to establish the Bank of Covington.

Ordered, That the committee on Banks prepare and bring in the same.

On motion of Mr. Hughes,

Ordered, That Mr. J. Stevens be added to the committee on Banks.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act concerning the election of certain municipal officers in the city of Lexington.

And had received official information from the Governor, that he had approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to change the name of Robert Goodin, and for other purposes.

An act to change the name of Mary Eden to Mary Wilkinson.

An act to amend the act incorporating the Georgetown and Paris Turnpike Road Company, approved March 13, 1847.

An act to amend an act, entitled, an act to incorporate the Trustees of the Allen Seminary, approved January 3, 1817.

An act for the benefit of Malachi Williams, of Allen county.

An act to establish an additional election precinct in Wayne county, and for other purposes.

An act to divorce Elizabeth Wilkinson.

An act to divorce Hezekiah F. Neely.

An act to divorce Isabel T. Humphreys, and for other purposes.

An act for the benefit of Leslie Combs.

An act to divorce Elizabeth Wiatt.

Approved January 22, 1849.

The House again resumed the consideration of the bill to authorise the County Court of Greenup to establish a ferry in said county.

On motion of Mr. Huston,

Ordered, That said bill be laid on the table until the first day of June next.

On motion of Mr. Harris, leave of absence, for four days, was granted to Mr. Newell.

On motion of Mr. J. Stevens, leave of absence, for four days, was granted to Mr. Duvall.

And then the House adjourned.

THURSDAY, JANUARY 25, 1849.

1. Mr. Hughes presented the petition of George W. Finnie, an infant, praying the passage of a law allowing him to sell and convey his interest in a tract of land.

2. Mr. Reiley presented the petition of James Lathenwell, praying a divorce from his wife, Sarah Lathenwell.

3. Mr. J. W. Davis presented the remonstrance of sundry citizens of Carter county, against any change in the State road passing through said county, as proposed by John N. Hord, &c.

4. Mr. Magruder presented the petition of Rebecca E. Holding, guardian of her infant children, praying the passage of a law authorising the sale of certain real estate belonging to her children.

5. Mr. Mason presented the petition of S. Hendrix and others, praying that permission be given them to erect gates across a public road.

6. Mr. Lucas presented the petition of sundry citizens of this State, praying an amendment to the laws for the protection of religious worship.

7. Mr. Barnes presented the petition of sundry citizens of Owsley county, praying the passage of a law authorizing a re-survey of the boundary lines of said county.

8. Mr. Smith presented the petition of sundry citizens of the town of Winchester, praying an amendment of the laws in relation to pedlers, auctioners, &c.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Hughes, Hite and Towles; the 2d and 6th to the committee

on Religion; the 3d and 7th to the committee on Propositions and Grievances; the 4th and 8th to the committee on the Judiciary; and the 5th to Messrs. Mason, Cottle and Headley.

The House then took up the resolution fixing a day for the final adjournment of the General Assembly.

The said resolution was then amended, and as amended, twice read and concurred in.

A message was recived from the Governor, by Mr. Brown, Secretary of State, which is as follows, viz:

EXECUTIVE OFFICE,
January 25, 1849.

SIR: The Committtee on the Military Monument have transmitted to me their report, with the request that I would submit the same to the General Assembly. I therefore send to you the enclosed report, with a request that you would cause the same to be laid before the House of Representatives. With the highest respect,

Yours, &c. &c. &c.
J. J. CRITTENDEN.

To Hon. GWYN PAGE,
Speaker of the House of Representatives.

[*For Report—see Legislative Documents.*]

Ordered, That said message be referred to Messrs. W. Daviess, Robertson, Huston, Butler and Pope, and that the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Paris and Flat Rock Turnpike Road Company.

An act for the benefit of the heirs of Richard Lowe, deceased.

An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.

An act to establish an election precinct in Casey county.

An act for the benefit of the heirs of Singleton G. Davis.

An act for the benefit of Robert Stockton, and his children.

An act to legalize the election of Trustees for the town of Nicholasville.

An act for the benefit of the Clerk of the Muhlenburg County Court.

An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

An act limiting the jurisdiction of the General Court in certain cases.

An act for the benefit of Henry G. Stemmons and wife.

An act to correct an omission of the Clerk of the Garrard Circuit Court.

An act to incorporate the Esculapian Mineral Spring Hotel Company, in Lewis county.

An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorized newspapers.

A resolution concerning the committee on Banks.

A resolution fixing a day for the election of a Senator in Congress.

And bills which originated in this House, of the following titles, viz:

An act for the benefit of Reuben Brison.

An act concerning the election of certain municipal officers in the city of Lexington.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

Mr. Morris, from the committee on the Judiciary, to whom was referred the petition of P. F. Craycraft and wife, asked to be discharged from the further consideration of the same, which was granted.

Ordered, That said petition be referred to Messrs. Holladay, Menzies and Chenault.

Mr. Bassett, from the same committee, to whom was referred a bill further to protect religious assemblies, during divine service, reported the same without amendment.

And the question being taken on ordering said bill to be engrossed and read a third time, it was decided in the negative, and so said bill was rejected.

The following bills were reported by the committee on the Judiciary, viz:

A bill to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

A bill to amend the law for the appointment of Commissioners to take the acknowledgment of deeds, &c.

A bill authorizing the Campbell County Court to appoint an additional Justice of the Peace, to grant injunctions, &c.

A bill to incorporate the St. Louis and New Orleans Telegraph Company.

A bill allowing Carter county an additional Justice of the Peace, and for other purposes.

A bill for the benefit of Julius A. Labarthe.

A bill for the benefit of the Sheriff of Meade county.

A bill for the benefit of Benjamin All.

A bill to extend the terms of the Morgan Circuit Court.

A bill granting a change of venue to William P. Hart.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that he titles thereof be as aforesaid.

Mr. Hite, from the committee on Religion, to whom was referred the petition of Thomas T. Saddler; the petition of Nathaniel Dougherty; the petition of Jane Gatliff; the petition of Aaron Isenburg; the petition of Uriah Boulton, and the petition of David McKinney, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Blair, from the same committee, to whom was referred the petition of George Boulton, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Barlow moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petitioner.

Mr. Blair, from the same committee, to whom was referred the petition of Richard C. Guy, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. J. Davis moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petitioner.

The House again resolved itself into a Committee of the Whole, on the bill to amend the revenue laws, Mr. Barlow in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Barlow reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, without amendment, which he handed in at the Clerk's table.

Amendments were then proposed to the said bill.

Ordered, That said bill and amendments be referred to the committee on Ways and Means.

On motion of Mr. Barlow,

Ordered, That leave of absence, until Tuesday next, be granted to Mr. Wilson.

And then the House adjourned.

FRIDAY, JANUARY 29, 1849.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act for the benefit of Wm. Bethel.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of William Giles.

An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1, 1847.

An act for the benefit of the Trustees of Morganfield.

An act to amend an act, approved 26th February, 1848, incorporating the town of Monticello.

An act to incorporate the Henderson Cemetery Company.

With an amendment to the last named bill.

That they had concurred in the resolution from this House, for requesting the Convention to submit the New Constitution to the people, for ratification or rejection.

That they had passed bills of the following titles, viz:

An act for the benefit of the administrator and heirs of James G. Hazelrigg, deceased.

An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

An act to amend the charter of the Kentucky Insurance Company.

An act for the benefit of Garvin Morrison, Constable of Harrison county.

An act for the benefit of the heirs of Wm. R. Griffith, deceased.

An act for the benefit of Washington Kennedy's children.

An act for the benefit of R. M. Davis.

An act for the benefit of Thomas Shea.

An act for the benefit of James Byles.

An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

1. Mr. Huston presented the petition of sundry stockholders of the Louisville and Taylorsville Turnpike Road Company, praying an amendment to the charter of said Company.

2. Mr. Speed presented the petition of sundry stockholders of the Louisville and Taylorsville Turnpike Road Company, praying an amendment to the charter of said Company.

3. Also, the petition of sundry citizens, praying the establishment of a road from Louisville to Brownsville by the mouth of Harrod's Creek.

4. Mr. Towles presented the petition of Wm. P. Smith, and wife, praying that their names be changed.

5. Mr. Butler presented the petition of sundry citizens of Carroll county, praying that they be exempted from paying tolls at Lock No. 1, on the Kentucky River.

6. Mr. Pope presented the petition of David Fleming, praying a divorce from his wife, Nancy Fleming.

7. Also, the petition of Charles Talbert, praying for a change of venue in the prosecution pending against him in the Jefferson Circuit Court for stabbing, with intent to kill.

8. Also, the petition of William Floyd, praying for a change of venue in the prosecution pending against him in the Jefferson Circuit Court for felony.

9. Mr. Menzies presented the petition of sundry Mechanics of the city of Covington, praying an amendment to the law giving to Mechanics leins for work done by them.

10. Also, the petition of sundry citizens of Campbell county, praying the establishment of a town to be called Brooklyn, in said county.

11. Mr. Bickley presented the memorial of sundry citizens of the city of Maysville, praying the passage of a law establishing a Bank in said city, to be styled "The Bank of Maysville."

12. Mr. Jackson presented the petition of sundry citizens of Laurel county, praying the passage of a law authorizing a change in the State road from Richmond to Cumberland Gap.

13. Mr. Underwood presented the petition of the members of the Bowlinggreen Thespian Society, praying an act of incorporation.

14. Mr. Beaty presented the petition of Benj. F. Coffey and Thomas J. Jones, praying the passage of a law directing the Clerk of the Wayne Circuit Court to enter the appearance of certain defendants to a suit in chancery, pending therein, without the service of process.

15. Mr. Bassett presented the petition of Jepthah B. Erwin, praying a divorce from his wife, Sarah Ann Erwin.

16. Mr. J. W. Davis presented the petition of sundry citizens of Green-up county, praying the establishment of a ferry across Big Sandy River.

17. Mr. Menzies presented the petition of sundry citizens of the city of Covington, praying the establishment of a Bank in said city.

18. Mr. Jackson presented the petition of John Pitman, Deputy Sheriff of Laurel county, praying that further time be allowed him to return his delinquent list of militia fines.

19. Mr. Holladay presented the petition of Mary Hammons, praying a divorce from her husband, Green Hammons.

Which were received, the reading dispensed with, and referred—the 1st and 2d to Messrs. Huston, Speed and Pope; the 3d to Messrs. Speed,

Pope and Morris; the 4th to Messrs. Towles, Noe and Bledsoe; the 5th to the committee on Ways and Means; the 6th, 15th and 19th to the committee on Religion; the 7th, 8th and 14th to the committee on the Judiciary; the 9th to Messrs. Menzies, Mason and Holladay the 10th to Messrs. Menzies, Towles and Holladay; the 11th to the committee on Banks; the 12th to the committee on Internal Improvement; the 13th to Messrs. Underwood, J. Davis and Alexander; the 16th to the committee on Propositions and Grievances; the 17th to Messrs. Menzies, Murphy and Towles; and the 18th to Messrs. Jackson, Barlow and Word.

The Speaker laid before the House a supplemental report of the President of the Board of Internal Improvement, which is as follows:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 26th, 1849.

To the General Assembly of Kentucky:

The Board of Internal Improvement, in their annual report during the present session of your honorable body, use the following language: "The road from Lexington, by the way of Harrodsburg to Perryville is "in length, forty two miles, of which about seven miles are unfinished." This statement was made from information then deemed correct. But the Board are now fully satisfied it was not true as to the unfinished portion of said road. The contract of lease to Singleton, was set aside by an act of the Legislature; and the present managers, with a promptitude and energy worthy of all praise, during the last spring and summer, from their individual funds, caused the seven miles of road to be finished to the Kentucky river. And, by an effort equally meritorious to those gentlemen, commenced the construction of a bridge over said river, where the line of road crosses the same—but for the want of funds they were reluctantly compelled to suspend operations. This bridge, if completed, will add very much to the profits of the road, and should be made by the State. Therefore, the Board earnestly recommend the sum of $10,000, heretofore reported in aid of this road, be appropriated to the finishing of this bridge. In justification of the Board for the unintentional error thus made in regard to this road, I would remark, that this was the only unfinished McAdamized Turnpike Road, in which the State had an interest, not personally examined by the President during the past year: and this even would have been looked to, had it not been for want of time, and other engagements on the various roads and rivers up to the meeting of the Legislature.

All of which is respectfully submitted,

O. G. CATES, *P. B. I. I.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

Ordered, That said report be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 150 copies of said report, for the use of the members of the General Assembly.

On motion of Mr. Anderson, leave of absence, until Tuesday next, was granted to Mr. Reynolds.

Mr. Barlow read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate, and four from the House of Representatives, be appointed to settle the accounts of P. Dudley, late Treasurer of Kentucky, and receive from him the money, books, vouchers, papers, &c., belonging to the Treasury Department, and report to the Legislature.

Resolved, That said committee be authorized and instructed to hand over the money, books, papers, &c., belonging to the Treasury, to the Treasurer elect, so soon as he shall be qualified to act, and take his duplicate receipts therefor; one of which they shall file in the State Department, and one with the First Auditor.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Ordered, That the further consideration of said resolutions be postponed until Monday next, and that they be made the special order for that day.

A bill from the Senate, entitled, an act for the benefit of R. M. Davis, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Blair, from the committee on Religion, to whom was referred the petition of Willis Hammons, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. S. Stevens moved to amend said resolution by striking out "be rejected" and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Blair, from the same committee, to whom was referred the petition of Nancy Roberts, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Blair, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to divorce Nancy Landy.

An act to divorce Sarah A. Stevens.

An act to divorce David E. and Lucinda Baker.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the committee on Religion, viz:

A bill to incorporate the Cumberland Presbyterian Church, in Henderson.

A bill to incorporate the Bethlehem Baptist Church, of Hart county.

A bill to divorce E. V. Scruggs.

A bill to divorce Richard C. Guy.

A bill to divorce George Boulton.

A bill to divorce Sarah Calvert,

A bill to divorce John Adair, of Monroe county.

A bill to divorce John G. Brown.

A bill to divorce Sarah Lorispaugh, and for other purposes.

A bill to divorce John and Nancy S. Cox.

A bill to divorce George W. McKinney.

A bill to divorce Willis Hammons.

A bill to divorce William H. Jackson.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That they do pass, and that the titles thereof be as aforesaid.

The House again resolved itself into a Committee of the Whole, on the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing more permanently a Common School System in this State, Mr. Noe in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Noe reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

On motion of Mr. Barlow, Mr. Bledsoe was added to the committee on Education.

On motion of Mr. Spurr, Mr. Chenault was added to the committee on Education.

On motion of Mr. Towles, Mr. Menzies was added to the committee on Federal Relations.

On motion of Mr. Pope,

Ordered, That a committee be appointed to wait on the Governor, and ask leave to withdraw from his possession a bill limiting the jurisdiction of the General Court in certain cases.

Whereupon, Messrs. Pope, Bassett and Towles, were appointed said committee.

The Speaker laid before the House the response of the Board of Internal Improvement to a resolution of this House of the 13th instant, which is in the following words, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 26th, 1849.

In obedience to resolution of the House of Representatives of the 13th instant, the President of the Board of Internal Improvement respectfully responds, to-wit:

1. That so much of said resolution as relates to the number of Locks and Dams required to extend and complete the slackwater navigation of the Kentucky river to the Three Forks, and cost thereof, has been fully answered in the annual report of the Board, during the present session, and to which reference is now made.

2. By the resolution, I am further requested to state my opinion as to "the probable amount of dividends to be derived in the event the slack-"water navigation, in said river, was completed to the Three Forks." I sincerely regret my inability to render certain and definite data or information in response to this important enquiry. All that can be expected, in aid of Legislative action on this subject, must be facts and inferences approximating a reasonable certainty. No register of the annual sale or consumption of coal, iron and salt, has been heretofore kept at the City of Louisville, the natural depot of the trade of that river, or at any intermediate commercial point thereon; hence, I am forced to base my opinion in regard to the present and increasing trade in those articles, upon the estimate of persons more familiar with such matters. And however much their estimates may vary from the true quantity—yet one great and leading fact is now established, beyond doubt or contradiction, which is, that coal, iron ore and salt water, are superabundant at, and near the Three Forks, and in quality equal, if not superior to any now made known in the United States. The following data, it is confidently believed, will at least approximate a fair and reasonable basis of calculation, whereby the enquiry is answered, to-wit:

1. in the City of Louisville, there is annually sold, 60,000 barrels or 12,000 tons of salt: of coal, 1,550,000 bushels or 62,000 tons; and of iron, 4,000 tons—in all 78,000 tons.

2. There would be sold in the City of Lexington, Frankfort, and other intermediate points between the Three Forks and mouth of Kentucky river, annually, 50,000 tons of iron, salt and coal—which, added to the amount sold in Louisville, makes the entire quantity that would be consumed, each year, 128,000 tons. The present rate of toll, on which, for 257 miles on said river, would be one dollar per ton. But reduce the distance one half, and the toll for the entire distance would be fifty cents per ton, or two and one half cents per hundred pounds; which, on 128-000 tons of coal, iron and salt, would be $64,000.

3. The present gross receipts on ninety five miles, are $46,000. This sum, without the aid of coal, iron and salt, would be increased, by the extension of the improvement to the Three Forks, at least three hundred per cent—say $92,000, which, added to the toll on coal, iron and salt, and the present gross ordinary receipts, makes the sum of $202,000: deduct therefrom the sum of $25,000, for expense of repairs, &c., of four-

teen Locks and Dams, and we have the sum of $177,000 as *net profits or dividend* from the river, when slackwatered to the Three Forks.

In connexion with this matter, I would further remark, that the cost of the present Locks and Dams, was $901,932 70 cents—add to this the estimated cost of nine more Locks and Dams, say $720,000, and we have the gross sum of $1,621,932 70 cents, as the cost of the entire line of navigation when finished. The interest on which last sum, at six per centum per annum, would be $102,684 04 cents—deduct this last sum from $177,000, the estimated net dividend, and we have a remainder of $74,315 96 cents, over and above the payment of the annual interest on the entire investment. Then place this remainder at an interest of six per cent. per annum, and regularly reinvested, would, in twenty years, yield the sum of $2,897,782 16 cents, being greater than the original cost of the improvement; and this sum of $74,315 96 cents, placed at like interest, and reinvested each year, would, in thirty years, produce $6,227,802 29 cents—which sum is more than sufficient to pay the entire indebtedness of the State. Again, this sum of $74,315 96 cents, if applied each year, would, in less than fourteen years, pay the principal of the cost of the improvement, as heretofore estimated. There is one great and peculiar fact resulting from slackwater improvement on the Kentucky river, worthy of the highest consideration, which is—that the trade thereon may be increased to an almost unlimited extent, without injury or danger to the Locks and Dams, and at the same time this increase does not add to the expenditure for repairs, &c., but, on the contrary, tends to diminish the same. On Turnpikes and Railroads, as the business is increased, so are the expense of repairs, &c. I herewith annex, table marked A, upon which the foregoing response has been based.

All of which is most respectfully submitted.

O. G. CATES, *Pres. B. Int. Imp.*

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

[A.]

There is sold in Louisville, annually, as follows:			
60,000 barrels of salt, say	12,000	tons.	
1,550,000 bushels of coal, say	62,000	do.	
Pig iron, say	4,000	do.	
			78,000
Say all other places, from the Three Forks to the mouth of the river,			50,000
			128,000
Tolls at the rate of 50 cents, per ton, or 2½ cents per hundred, would amount to			$ 64,000 00
Our present tolls are, say, in round numbers			46,000 00
Say it would increase three fold			92,000 00
			$ 202,000 00
Deduct annual expenses			25,000 00
Profits			$ 177,000 00

The cost of the present five Locks, &c., - - - - - - - - -	$ 901,932 70
Estimated cost of nine more - - - - - - - - - -	720,000 00
	$1,621,932 70
The annual interest upon which, at six per cent. per annum, would amount to	102,684 04
Deduct this from profits above, and it will leave, after paying interest on investment,	74,315 96
This last sum, put at interest, and the interest annually reinvested, would bring, in twenty years, - - - - - - - - - - - - - -	$ 2,897,782 16
In thirty years, - - - - - - - - - - - - - -	6,227,802 29

Ordered, That said response be referred to the committee on Internal Improvement, and that the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

Mr. Magruder, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Shelby, Franklin and Henry counties, praying for a new county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Jones asked leave to withdraw said petition, and it was granted, and the same was withdrawn.

And then the House adjourned.

SATURDAY, JANUARY 27, 1849.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to change the place of voting in an election precinct in Butler county.

An act to change an election precinct in Pulaski county.

An act to divorce Harriet J. Wheeler.

An act for the divorce of John L. Vaughn.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act to amend proceedings before Justices of the Peace.

An act respecting conveyances by married women.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of Margaret Wilson, and others.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

An act to amend the charter of the Campbell Turnpike Road Company.

An act for the benefit of the heirs of Nancy Strother and Margaret B. Carpenter.

An act to amend an act for the benefit of the heirs at law of Louisa Dunnington, approved March 1, 1848.

An act to provide for the sale of a certain house for public worship, in Hardin county.

And had received from the Governor official information that he had approved and signed enrolled bills, originating in the Senate, of the following titles, viz:

An act to correct an omission of the Clerk of the Garrard Circuit Court.

An act for the benefit of Thomas W. Hammond, late Sheriff of Trigg county.

An act for the benefit of the Clerk of the Muhlenburg County Court.

An act for the benefit of Isham G. Hamilton, Clerk of the County Court of Boone.

An act for the benefit of the heirs of Richard Lowe, deceased.

An act to legalize the election of Trustees for the town of Nicholasville.

An act for the benefit of Robert Stockton, and his children.

An act for the benefit of the heirs of Singleton G. Davis.

An act to establish an election precinct in Casey county.

An act to incorporate the Esculapian Mineral Spring Hotel Company, in Lewis county.

An act declaring the Garrard Banner, Lexington Atlas and Louisville Chronicle, public authorized newspapers.

An act to incorporate the Paris and Flat Rock Turnpike Road Company.

An act for the benefit of Henry G. Stemmons and wife.

Approved January 26, 1849.

1. Mr. Cottle presented the petition of sundry citizens of Morgan county, praying the passage of a law providing for the improvement of the navigation of Licking River.

2. Mr. J. W. Davis presented the petition of sundry citizens of Greenup county, praying the establishment of an additional election precinct in said county.

3. Mr. Bickley presented the petition of Samuel L. Blaine, praying the passage of a law authorizing the conveyance of certain lands by him, for himself and others.

4. Mr. R. G. Lewis presented the petition of sundry citizens of Fleming county, praying the passage of a law to prevent the wanton destruction of fish in Triplett Creek.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee

on Privileges and Elections; the 3d to the committee on the Judiciary; and the 4th to the committee on Propositions and Grievances.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to a resolution of this House of the 13th instant, in relation to the State's interest in the Lexington and Frankfort Railroad Company, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 26th, 1849.

SIR: In obedience to resolution of House of Representatives of the 13th instant, in relation to the State's interest, &c., in the Lexington and Ohio Railroad, the President of the Board of Internal Improvement responds, to-wit:

1. That this office contains no fact or information in regard to said Railroad, other than set forth in the annual report of the Board of Internal Improvement during the present session. By an act to incorporate the Licking and Lexington Railroad Company, and Louisville and Frankfort Railroad Company, approved March 1, 1847, and the act to incorporate the Lexington and Frankfort Railroad Company, approved February 28th, 1848, the benefits of the charter of the Lexington and Ohio Railroad Company were *extinguished*, and the management and operations of the new companies are unknown to this Board.

With great respect,
O. G. CATES, *P. B. I. I.*

To Hon. GWYN PAGE,
Speaker of the House of Representatives.

Mr. Mason, from the select committee to whom was referred the petition of sundry citizens of Bath, praying for a Justice of the Peace, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Ordered, That Mr. Pope inform the Senate that a committee had been appointed on the part of this House, to act in conjunction with a committee on the part of the Senate, to ask leave of the Governor to withdraw from his possession a bill from the Senate, entitled, an act to limit the jurisdiction of the General Court in certain cases, and requesting the Senate to appoint a committee on their part.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Alexander and Towles, were as follows viz:

Mr. Speaker,	Ford,	Morris,
Messrs. Alexander,	Gordon,	Napier,
Anderson,	Hardin,	Noe,
Barbee,	Harreld,	Pope,
Barlow,	Harrison,	Records,
Barnes,	Harris,	Reiley,

Bassett,	Hite,	Rhea,
Beaty,	Holladay,	Robertson,
Best,	Holton,	Rodman,
Bibb,	Huston,	Smith,
Bickley,	Jackson,	Speed,
Blair,	Jefferson,	Spurr,
Bledsoe,	Johnson,	Stevens, S.
Boarman,	Lewis, D. P.	Stuart, J.
Butler,	Lewis, R. G.	Swan,
Cargill,	Logan,	Terrill,
Chenault,	Lucas,	Thomas,
Collins,	Magruder,	Towles,
Conklin,	Mason,	Underwood,
Crenshaw,	McClarty,	Vaughan,
Daviess, W.	McConnell,	Vickers,
Davis, J.	McFarland,	Whitsett,
Dunlap,	McLarning,	Woods,
Eubank,	Menzies,	Word—73.
Ewing,		

Those who voted in the negative, were—

Messrs. Cottle,	Dohoney,	Headley,
Daviess, J. W.	Garland,	Shawhan,
Dodds,	Garred,	Sherwood—9.

After a short time, Mr. Pope, from the committee, reported that the said bill was in the possession of the Senate.

On motion of Mr. Pope,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House announcing the passage of said bill.

After a short time the messenger returned with said bill.

Mr. Pope then moved a reconsideration of the vote passing said bill, dispensing with the third reading of said bill, and ordering said bill to be read a third time.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary.

A message was received from the Governor, announcing that he had approved and signed enrolled bills which originated in this House, of the following titles, viz:

An act concerning the election of certain municipal officers in the city of Lexington.

An act for the benefit of Reuben Brison.

Approved 26th January, 1849.

A message was received, from the Governor, which is as follows, viz:

EXECUTIVE OFFICE, *January 27th*, 1849.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you the report of the Commissioners in relation

to the erection and location of the Second Lunatic Asylum, together with the papers accompanying the same. J. J. CRITTENDEN.

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 150 copies of the said message, for the use of the members of the General Assembly.

On motion of Mr. Smith,

Resolved, That that the use of this Hall be tendered to F. W. Thomas, on Monday evening next, for the purpose of delivering a lecure on the life and character of the Rev. George Whitfield.

On motion of Mr. Holton,

Resolved, That the use of this Hall be given to Nicholas and Margaret Brown, from Canada, approved members of the Society of Friends, on next Sabbath, the 28th instant, for religious worship.

Leave was given to bring in the following bills, viz:

On motion of Mr. Whitsett—1. A bill for the benefit of A. J. Gatewood, of Barren county.

On motion of Mr. Mason—2. A bill to charter a Company to make a road from Carlisle to Owingsville.

On motion of same—3. A bill to charter a Company to construct a Railroad from Lexington to the mouth of Big Sandy.

On motion of Mr. D. P. Lewis—4. A bill to amend an act to incorporate the Paris and Combs' Ferry Turnpike Road Company.

On motion of same—5. A bill to amend an act to incorporate the Paris and Cynthiana Turnpike Road Company.

On motion of Mr. Anderson—6. A bill for the benefit of David Knox.

On motion of Mr. Cottle—7. A bill for the benefit of Isaac Back, of Breathitt county.

On motion of Mr. Reiley—8. A bill to incorporate the Master and Wardens of Alexandria Lodge, No. 152, in Campbell county.

On motion of Mr. Butler—9. A bill to extend the corporate limits of the town of Ghent.

On motion of Mr. McLarning—10. A bill for the benefit of the widow and heirs of Henry Durrett, deceased.

On motion of Mr. Bledsoe—11. A bill for the benefit of Joseph Riddle, of Cumberland county.

On motion of same—12. A bill to establish the July Term of the Cumberland Circuit Court.

On motion of Mr. Barnes—13. A bill defining the pay to County Court Clerks for services rendered in relation to land warrants.

On motion of same—14. A bill for an additional term of the Estill Circuit Court for 1849.

On motion of same—15. A bill authorizing the Trustees of Mount Tabor Church, in Estill county, to make sale of certain grounds.

On motion of Mr. Blair—16. A bill for the benefit of Rebecca Royse, of Fleming county.

On motion of Mr. Holton—17. A bill for the benefit of Charles H. Tyler.

On motion of Mr. Dunlap—18. A bill for the divorce of Thomas Edmonson.

On motion of same—19. A bill to incorporate the Demosthinian Association of Drake's Creek.

On motion of Mr. Speed—20. A bill for the benefit of William Hart, of Jefferson county.

On motion of Mr. Menzies—21. A bill to establish the Covington College.

On motion of same—22. A bill to regulate the time of holding the Kenton Circuit Court, and for other purposes.

On motion of same—23. A bill to amend the charter of the Licking and Lexington Railroad Company.

On motion of same—24. A bill to take a vote of the citizens of Kenton county upon the question of the removal of the Seat of Justice of said county.

On motion of same—25. A bill to incorporate the Eagle Manufacturing Company.

On motion of Mr. Pope—26. A bill to extend the powers of the Marshall of the Louisville City Court.

On motion of same—27. A bill to amend, in part, the charter of the city of Louisville.

On motion of Mr. Jefferson—28. A bill to amend the charter of East Maysville.

On motion of Mr. Bickley—29. A bill amending the law establishing election precincts in Mason county.

On the motion of Mr. Barlow—30. A bill for the benefit of N. Y. Hilman, a Justice of the Peace for Monroe county.

On motion of Mr. Woods—31. A bill to give an additional Constable to Hardin county.

On motion of Mr. Eubank—32. A bill regulating the sale of dried fruits by weight.

Ordered, That the committee on Propositions and Grievances prepare and bring in the 1st, 24th, 30th and 31st; the committee on Internal Improvement the 2d, 4th, 5th, 7th and 23d; Messrs. Mason, Spurr, Cottle, Smith, Garred, Blair and Alexander the 3d; the committee on Claims the 6th; Messrs. Reiley, Cargill and Headley the 8th; Messrs. Butler, J. W. Davis and Barlow the 9th; Messrs. McLarning, Robertson and Morris the 10th; Messrs. Bledsoe, Ford and Harreld the 11th; the committee on the Judictary the 12th, 13th, 17th, 22d, 26th and 27th; Messrs. Barnes,

Smith and J. Stuart the 14th and 15th; Messrs. Blair, Bickley and Hayden the 16th; the committee on Religion the 18th; the committee on Education the 19th and 21st; the committee on Ways and Means the 20th; the committee on Agriculture and Manufactures the 25th and 32d; Messrs. Jefferson, Bickley and Best the 28th; and the committee on Privileges and Elections the 29th.

Mr. Towles moved the following resolution, viz:

Resolved, That the committee on Ways and Means enquire into the expediency of amending the act of 1843, entitled, an act to add to the resources of the Sinking Fund, so as better to secure the collection of the revenue arising from the sale of licenses to vend playing cards; and the licenses to brokers and agencies for foreign insurance offices; and that they report by bill or otherwise.

Which was concurred in.

Mr. Rodman moved the following resolution, viz:

WHEREAS, the Board of Education holds the bonds of the State for $1,225,768. Owing to the straightened condition of the Treasury, this fund, with its interest, are the subject of frequent and vascillating legislation, where no special provision is made for the payment of said interest; and the only security that the drafts of the Superintendent will not be dishonored at the Treasury, is the chance that the ordinary revenue of the State may exceed the ordinary expenses of the government, and thus, accidentally leave in the Treasury, a few thousand dollars to meet the demands of the Common School System: and, whereas, it is necessary to relieve the fund from this destructive and vascillating legislation, and to have the distributive amount increased by the prompt payment of the whole accruing interest. Therefore,

Resolved, That the committee on Education be instructed to enquire into the propriety and expediency of selling the bonds of the State, and invest the same in Bank stock, the proceeds of which shall be appropriated to the purposes of Common School; and that they be instructed to report by bill or otherwise.

Which was adopted.

Mr. Towles moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be, and he is hereby requested to communicate to this House, information as to the amount of money which has been realized in aid of the resources of the Sinking Fund, during the past year, from the Commonwealth's Bank; and what amount of outstanding debts, due that Bank, remain uncollected, which are reported by the several agents as probably available; and whether the several agents have reported or not.

Which was adopted.

Mr. Pope read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That James Harlan, John T. Pendleton, Samuel Todd, and Richard Knott, be and they are hereby appointed Commissioners to settle the accounts of James Davidson, late Treasurer of this Commonwealth, who shall have

full access to all books and papers pertaining to the Treasury Department, and report to the next General Assembly.

Mr. Chenault moved the following resolution, viz:

WHEREAS, it appears from the report of the Commissioners appointed to examine into the financial condition of the Treasury, that the late Treasurer, Col. James Davidson, is in arrears to the amount of $52,217 32: and, whereas, it is the duty of this Legislature to secure to the State whatever amount may be due by said Treasurer. Therefore,

Resolved, That the committee on Ways and Means be instructed to bring in a bill to cause an early settlement to be made with said Treasurer.

Be it further resolved, That said committee be instructed to so report a bill as to authorize, or cause to be taken, the proper steps to secure to the State the payment of the amount said Treasurer may be in arrears.

On motion of Mr. Boarman,

Ordered, That said resolution be laid on the table for the present.

Mr. Noe read and laid on the table the following preamble and resolutions, viz:

WHEREAS, the Constitution of the United States guarantees the right to hold slaves in those States which claim and exercise that right: and, whereas, certain fanatics of the northern and other non-slaveholding States, have frequently attempted, through the Congress of the United States, to nullify this guarantee of the Federal Constitution, and disturb the national compromises on the subject of slavery by various modes. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we regard every attempt to interfere with the rights of slaveholders, by Congress, as unconstitutional and subversive of the rights of slaveholders, and of the South--an innovation dangerous to the harmony, if not to the perpetuity, of the Union.

Resolved, That the abolition of slavery in the District of Columbia, by Congress, will be regarded as a dangerous innovation upon the rights of slaveholders and the slave States of the Union, and ought to be resisted with firmness by all the true friends of the Union, and especially by the Representatives from the slaveholding States.

Resolved, That the attempt to extend the principles of the Wilmot Proviso over territories acquired by the just valor of our armies, and by the treasure of the United States, is subversive of the rights and benefits secured to the slaveholding States by the Federal Constiution, and if adopted, will be ionperative, because unconstitutional; and that we will resist, by all peaceable and legal means, the extenslon of the principles so proposed to be enforced.

Resolved, That this Legislature believe the "compromise," proposed at the last session, in a bill drawn by Mr. Clayton, of Delaware, the safest settlement of this vexed question which has yet been proposed by Congress.

Resolved, That a copy of the foregoing resolutions be transmitted, by the Governor, to our Senators and Representatives in Congress, with a request that they be laid before their respective bodies.

Mr. Underwood moved the following resolution, viz:

Resolved, That the Auditor of Accounts be, and he is hereby requested, to inform the House of Representatives, what items compose the debt of the State of Kentucky, amounting, on the 1st of January, 1849, as stated by the Commissioners of the Sinking Fund, to $4,531,913 81, and in the annual message of the Governor, as amounting to $4,532,913 81; also, to whom said debt is payable; how it is evidenced; when and by whom issued; by whom held; what is the rate of interest on each item thereof, and whether the $1,299,268 42, held for the benefit of the Board of Education, makes a part of the debt of the State as above.

Which was adopted.

Mr. Beaty moved the following resolution, viz:

Resolved, That the members of this House be respectfully requested to furnish the Superintendent of Public Instruction with thenames of three persons in their respective counties, friends to the System of Common School Education, to be commissioned as Common School Commissioners by the Superintendent.

Which was adopted.

Mr. Conklin moved the following resolution, viz:

Resolved, That the committee on Ways and Means be requested to enquire into the propriety of bringing in a bill appointing Commissioners, prompt and efficient men, to examine all the fiscal transactions of the First Auditor's office, the Treasurer's office, and the office of the Board of Internal Improvement, from the 1st day of December, 1836, up to the 1st day of December, 1848; said Commissioners to report to the next Legislature within the first ten days of its session.

Which was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Dohoney—1. A bill to allow an additional Justice of the Peace to the county of Adair.

By same—2. A bill for the benefit of John Goodin.

By Mr. J. Davis—3. A bill to establish an additional election precinct in Allen county.

By Mr. Whitsett—4. A bill to amend an act, entitled, an act to amend and reduce into one the several acts respecting the militia.

By Mr. Mason—5. A bill for the benefit of the Bath Seminary.

By same—6. A bill for the benefit of Jesse F. Atchison, and others.

By same—7. A bill to amend the laws in relation to the collection of taxes on taverns, studs, &c.

By Mr. Anderson—8. A bill to establish a new Constable's District in the county of Boyle.

By Mr. Cottle—9. A bill to improve Licking River.

By Mr. Garred—10. A bill requiring Jurors, summoned before Justices of the Peace, to be paid.

By Mr. Robertson—11. A bill supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.

By same—12. A bill supplemental to an act incorporating the Newtown and Lexington Turnpike Company.

By Mr. Harris—13. A bill providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.

By same—14. A bill to allow the Lewis County Court to apply the proceeds of vacant lands in said county to the improvement of the navigation of Kinnacanick.

By Mr. Holton—15. A bill to incorporate the "Boone Monument Association."

By Mr. Dunlap—16. A bill to revive an act to incorporate a Company to construct a Turnpike Road from Lancaster to Crab Orchard.

By Mr. Cargill—17. A bill to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, Campbell county.

By Mr. Swan—18. A bill to incorporate Barker Lodge, and for other purposes.

By Mr. Towles—19. A bill to change the names of William Preston Smith and others, of Henderson county.

By Mr. Speed—20. A bill to incorporate the Louisville and Oldham Turnpike Company.

By Mr. Menzies—21. A bill to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport, approved February 22, 1834.

By same—22. A bill to establish the town of Brooklyn, in Campbell county.

By Mr. Napier—23. A bill to provide for the payment of Jurors, in rioting cases, and for other purposes.

By Mr. Bickley—24. A bill to incorporate the Maysville Linen Company.

By Mr. J. Stuart—25. A bill for the benefit of John C. Walker, guardian of Henry Ditto.

By same—26. A bill for the benefit of Harrison L. Board, guardian for Elizabeth E. Clark.

By Mr. Barlow—27. A bill to declare legitimate, Walter Winston Anderson.

By same—28. A bill for the relief of John Pitman and John C. Brown.

By Mr. Hite—29. A bill to incorporate the Bardstown Cemetery Company.

By same—30. A bill for the benefit of George W. Finnie.

By Mr. Woods—31. A bill for the benefit of James Marsee.

By Mr. Huston—32. A bill to amend the charter of the Louisville and Taylorsville Turnpike Road Company.

By Mr. Bibb—33. A bill to enlarge the Haydonsville Constable's District, in Todd county.

By Mr. Underwood—34. A bill to incorporate the Bowlinggreen Thespian Society.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 8th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 21st, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 32d, 33d and 34th bills were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Military Affairs; the 7th and 31st to the committee on Ways and Means; the 9th, 14th and 20th to the committee on Internal Improvement; and the 10th, 22d and 23d to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 5th, 6th, 8th, 11th, 12th, 13th, 15th, 16th, 17th, 18th, 19th, 21st, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 32d, 33d and 34th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, JANUARY 29, 1849.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, to-wit;

An act to incorporate the Warsaw Turnpike Company.

An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.

An act for the benefit of the School Commissioners of Casey county.

An act to amend the law in relation to private passways in Pike county.

An act for the benefit of William Blair.

An act to incorporate the Mount Sterling and Red River Railroad Company.

An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.

An act for the benefit of the Sheriff of Meade county.

That they had passed bills of the following titles, viz:

An act to incorporate the Green and Larue County Turnpike Road Company.

An act for the benefit of the Owingsville and Big Sandy Turnpike Road.

An act legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of Thomas Rankin, Jailer of Harrison county.

An act for the benefit of Erwin Anderson, of Graves county.

An act for the benefit of the devisees of Rolla Blue.

An act declaring the "Hopkins Delta" a public authorized newspaper.

An act to amend the laws relating to the town of Frankfort.

An act for the benefit of James Finley, of Floyd county.

That they had adopted a preamble and resolution concerning the appropriation bill.

And had received official information from the Governor that he had approved and signed enrolled resolutions, of the following titles, to-wit:

A resolution fixing a day for the election of a Senator in Congress.

A resolution concerning the committee on Banks.

Approved January 26, 1849.

1. Mr. Grundy presented the petition of Stark H. Reed, and others, in his behalf, praying that permission be given said Reed to peddle goods and retail liquors, without license.

2. Mr. McClarty presented the petition of C. D. Weymoth, and others, in his behalf, praying that he be released from paying for tavern license.

3. Mr. J. W. Davis presented the petition of sundry citizens, praying an amendment to the limitation laws.

4. Mr. Collins presented the petition of sundry citizens of the town of Creelsburg, praying an amendment to the laws establishing said town.

5. Mr. Dohoney presented the petition of John Abrell, praying a change of venue in the prosecution against him in the Russell Circuit Court, for murder.

6. Mr. Jackson presented the petition of John W. Shotwell, committee of Eden Shotwell, a lunatic, praying permission to sell the lands belonging to said lunatic.

7. Mr. Morris presented the petition of Wm. Russell and Susan Meara, praying the passage of a law declaring them brother and sister.

8. Also, the petition of sundry citizens of the city of Louisville, praying the incorporation of the German Roman Catholic St. Boniface Benevolent Society.

9. Mr. Jefferson presented the petition of William Norton, praying to be divorced from his wife, Harriet Norton.

10. Mr. Jackson presented the petition of Anderson D. Jones and William Jones, of Clay county, praying to be added to Laurel county.

11. Mr. Wood presented the petition of sundry citizens of the town of Barbourville, praying the passage of a law allowing to William Dozier, Hugh Hales and Samuel Renfro, compensation for guarding the jail of said county, whilst Samuel Jarvis was confined therein.

12. Mr. Dunlap presented the petition of the stockholders in the Lancaster and Crab Orchard Turnpike Road Company, praying an amendment to the charter of said Company.

13. Mr. Terrill presented the petition of James McCauley, praying that he be allowed to peddle goods, &c., without license.

14. Mr. Hughes presented the petition of John G. Chiles, praying permission to erect and keep a Billiard Table, at his tavern, in the city of Lexington.

15. Mr. Barlow presented the petition of Robert Taylor, and sundry citizens of Barren, Allen and Monroe, praying that said Taylor may be permitted to erect a mill dam on Big Barren river.

16. Mr. Murphy presented the petition of Aletha G. Gaines, praying a divorce from her husband, Benjamin R. Gaines.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Grundy, Swan, Gordon and Jones; the 2d to Messrs. McClarty, Hardin and Towles; the 3d, 5th, 6th, 7th and 8th to the committee on the Judiciary; the 4th to Messrs. Collins, Beaty and Wood; the 9th and 16th to the committee on Religion; the 10th and 15th to the committee on Propositions and Grievance; the 11th to Messrs. Word, Robertson and Barlow; the 12th to the committee on Internal Improvement; the 13th to the committee on Ways and Means, and the 14th to Messrs. Hughes, Robertson, Vertress and Murphy.

On motion of Mr. McClarty,

Ordered, That the committee on the Judiciary be discharged from bringing in a bill to authorize the Clerk of the Breckinridge County Court to transcribe certain records in that office.

Ordered, That Messrs. McClarty, Towles and J. Stuart prepare and bring in said bill.

Mr. Holladay asked leave to withdraw the petition of Mary A. Hammons, and it was granted, and the same was withdrawn.

Mr. Blair, from the committee on Religion, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Zilla Goldsberry.

An act for the benefit of George Conlon and Amanda Bileter.

An act to divorce Hannah Dolan.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Huston, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz:

An act to release the Louisville Savings Institution from certain taxes.

An act to amend the law relating to Pedlers.

An act for the benefit of Peter Conway, of Fleming county.

An act to extend the time of surveying and returning Kentucky Land Office Warrants to the Register's Office.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, and that he titles thereof be as aforesaid.

Mr. Huston, from the same committee, to whom was referred a resolution from the Senate, providing for the appointment of Reporters to report the proceedings of the Convention, reported the same without amendment.

The said resolution was twice read and concurred in.

Mr. Huston, from the same committee, to whom was referred leave to bring in a bill for the benefit of William Gathright and others, of Oldham county, asked to be discharged from the further consideration of the same, which was granted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Religion—A bill to divorce Edward Pelouze.

By same—A bill to divorce Elizabeth Lewis.

By same—A bill to divorce John R. Pates.

By same—A bill to divorce Mary Ann Carpenter.

By same—A bill to divorce David C. Spencer.

By same—A bill to divorce John M. Crane.

By the committee on Ways and Means—A bill to repeal an act, entitled, an act for the benefit of John Judy, of Clarke county.

By same—A bill for the benefit of Mary Simpson and others, of Calloway county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Huston, from the committee on Ways and Means, to whom was referred a bill for the benefit of Edward McClure, of Grant county, reported the same without amendment.

Mr. Conklin proposed an amendment to said bill.

On motion of Mr. Hughes,

Ordered, That said bill and amendment be laid on the table.

The House then resolved itself into a committee of the Whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, Mr. Underwood in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Barlow—1. A bill for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

On motion of Mr. Terrill—2. A bill to incorporate the Vestry of Grace Church, at Paducah.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, and the committee on Religion the 2d.

On motion of Mr. Garred,

Resolved, That the use of this Hall be given to the friends of Temperance to-morrow evening, to receive the report of the committee heretofore appointed, and an address from the Rev. S. Robinson.

And then the House adjourned.

TUESDAY, JANUARY 30, 1849.

A message was received from the Senate, announcing the passage of bills, and their concurrence in a preamble and resolution from this House, of the following titles, viz:

An act to divorce Jas. C. Gourley, John Carroll, Sr., and John Cowen.

An act to amend the law for the appointment of Commissioners, to take acknowledgment of deeds, &c.

An act authorizing the Campbell County Court to appoint an additional Justice of the Peace, to grant injunctions, &c.

An act allowing Carter county an additional Justice of the Peace, and for other purposes.

An act to extend the terms of the Morgan Circuit Court.

An act granting a change of venue to Wm. P. Hart.

An act to divorce Richard C. Guy.

Preamble and resolutions in relation to water rotted hemp.

That they had passed bills and adopted a resolution, of the following titles, viz:

An act to amend the charter and laws of the town of Newport.

An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

An act to divorce Mary Catharine Duncan and Owen C. Turner.

Resolution to appoint a committee of Arrangements for the reception of General Zachary Taylor.

1. Mr. Johnson presented the petition of the Trustees of the town of Mount Washington, praying an extension of the limits of said town.

2. Also, the petition of Thomas Phelps, praying the passage of a law authorizing a sale of the real estate of John B. Phelps, a lunatic.

3. Mr. Underwood presented the petition of Thomas Henry Barre and Ellen Barre, praying to be divorced from each other.

4. Mr. J. W. Davis presented the petition of sundry citizens of Greenup county, praying that the Summer Term of the Circuit Court of said county be restored.

5. Also, the petition of sundry citizens of Greenup county, praying the establishment of a Branch of the Southern Bank in Greenupsburg.

6. Mr. Mason presented the petition of sundry citizens of Bath county, praying the incorporation of a Company to make a Turnpike Road from Owingsville to Sharpsburg.

7. Mr. Barlow presented the petition of Darling McDonel, praying to be divorced from his wife, Jane McDonel.

8. Also, the petition of John M. Moody, praying to be divorced from his wife, Rachel Moody.

9. Also, the petition of Mary F. Johnson, praying to be divorced from her husband, Wm. J. Johnson.

10. Mr. Vertress presented the petition of P. F. Jones, praying that the Register of the Land Office be authorized to issue to him a new patent for 1,000 acres of land, patented to Wm. May, according to a corrected survey thereof.

11. Mr. J. Stuart presented the remonstrance of the members of the bar of the Meade Circuit Court and others, citizens of Meade county, against any change in the 13th Judicial District.

12. Mr. W. L. Jones presented the petition of sundry citizens of Hardinsville, in Shelby county, praying that an additionai Constable be allowed to said county.

13. Mr. Wilson presented the remonstrance of sundry citizens of Old-

ham county, against the incorporation of the Louisville and Oldham Turnpike Road Company.

14. Mr. Records presented the petition of Wm. B. Mullins, praying to be divorced from his wife, Jane Mullins.

15. Mr. Dunlap presented the petition of Emerine Sneed, praying a divorce from Henry C. Sneed.

16. Mr. Eubank presented the petition of Nancy C. Blewitt, praying to be divorced from her husband, James L. Blewitt.

17. Mr. Bibb presented the petition of Nathan Butler, praying that he be permitted to import a slave into this State.

18. Mr. Bassett presented the petition of sundry citizens of the town of New Castle, praying an extension of the powers of the Trustees of said town.

19. Mr. Menzies presented the remonstrance of Benjamin R. Gaines, against the divorce of his wife, Alethea Jane Gaines.

Which were received, the reading dispensed with, and referred—the 1st and 17th to the committee on Propositions and Grievances; the 2d, 4th, 10th, 11th and 18th to the committee on the Judiciary; the 3d, 7th, 8th, 9th, 14th, 15th, 16th and 19th to the committee on Religion; the 5th to the committee on Banks; the 6th to Messrs. Mason, Holladay and Barnes; the 12th to Messrs. Jones, Magruder and Towles; and the 13th to the committee on Internal Improvement.

The Speaker laid before the House the response of the First Auditor, which is as follows, viz:

AUDITOR'S OFFICE,
January 30th, 1849.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

SIR: In answer to a resolution of the House of Representatives of the 27th instant, requesting certain information concerning the Bank of the Commonwealth, I would respectfully respond:

That the net proceeds of the Bank of the Commonwealth, from the 1st of January, 1848, to the 1st of January, 1849, including a small balance on hand at the first named date, was $1,834 82. Some portion of this sum will be retained to meet claims against the Bank; the balance will be in aid of the Sinking Fund.

My predecessor in office left a list of notes due to the Bank, and deemed solvent by him, amounting to $5,619 54, without interest. Besides this there is a large amount of insolvent and doubtful claims, not less than fifteen thousand, perhaps as much as twenty thousand dollars; some portion of which, will, in all probability, be realized; but there are no means within in my reach whereby the exact amount of these claims, or the probable amount of them available, can be estimated. No recent report has been made by the Agents of the Bank.

Very respectfully submitted,

J. B. TEMPLE, *Auditor Public Accounts.*

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

The Speaker appointed Messrs. Hardin, Mason, Holton, Beaty, Barlow, Newell, Dunlap, Butler, Crenshaw and W. Daviess the committee, under the joint resolution, to receive General Zachary Taylor at Louisville.

Mr. W. Daviess, from the select committee to whom was referred the report of the Commissioners of the Military Monument, reported a bill supplemental to an act, entitled, an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on Military Affairs.

Bills from the Senate, of the following titles, viz:

1. An act to amend the charter and laws of the town of Newport.

2. An act for the benefit of the heirs of William R. Griffith, deceased.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was ordered to be read a third time, and the 2d was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the 1st bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Barlow asked leave to withdraw the petition of Uriah Bolton; Mr. Bledsoe asked leave to withdraw the petition of Nancy Roberts, and Mr. S. Stevens asked leave to withdraw the petition of Jane Gatliff; and the same was granted, and the petitions withdrawn.

Mr. Johnson, from the committee on Ways and Means, reported a bill for the further increase of the revenue, which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall not be lawful for storekeepers, and others who are now allowed by law to retail ardent spirits, or alchoholic liquors by the quart, to sell any less quantity than five gallons, unless they first go before the said County Court of the county in which they reside, and pay over to the County Court the sum of five dollars, and obtain a license therefor, and take the same oath as now required to take out a tavern license, and be liable to the same penalties and fines as are now imposed upon all violations of tavern licenses.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Hughes moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dohoney and Barbee, were as follows viz:

Mr. Speaker,	Eubank,	McFarland,
Messrs. Alexander,	Ewing,	McLarning,
Anderson,	Ford,	Menzies,
Barbee,	Gordon,	Napier,
Barlow,	Grundy,	Noe,
Bassett,	Harrison,	Records,
Best,	Harris,	Reiley,
Bibb,	Headley,	Rhea,
Blair,	Holladay,	Rodman,
Bledsoe,	Holton,	Shawhan,
Boarman,	Hughes,	Sherwood,
Cargill,	Jefferson,	Stevens, J.
Collins,	Jones,	Stevens, S.
Cottle,	Leonard,	Terrill,
Crenshaw,	Lewis, D. P.	Turner,
Daviess, W.	Lewis, R. G.	Vickers,
Davis, J.	Logan,	Wallace,
Dodds,	Lucas,	Whitsett,
Dohoney,	Magruder,	Wilson,
Dunlap,	Mason,	Woods—62.
Duvall,	McConnell,	

Those who voted in the negative, were—

Messrs. Barnes,	Hite,	Smith,
Beaty,	Huston,	Speed,
Bickley,	Jackson,	Spurr,
Butler,	Johnson,	Stuart, J.
Chenault,	McClarty,	Swan,
Conklin,	Miller,	Thomas,
Eversole,	Morris,	Towles,
Garland,	Murphy,	Underwood,
Garred,	Pope,	Vaughan,
Hardin,	Reynolds	Vertress,
Harreld,	Robertson,	Word—34.
Hayden,		

Mr. Huston, from the committee on Ways and Means, reported a bill for the benefit of George Dunn, Jailer of McCracken county; which was read the first time, and ordered to be read a second a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pope, from the committee on Internal Improvement, reported a

bill to complete the Roads and Locks and Dams of this Commonwealth; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole, and made the special order of the day for Tuesday, the 6th of February; and that the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly.

The House again resolved itself into a committee of the whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State; Mr. Underwood in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

WEDNESDAY, JANUARY 31, 1849.

1. Mr. Harris presented the petition of Daniel Ramsey, praying to be divorced from his wife, Lucretia Ramsey.

2. Mr. Butler presented the petition of Nancy L. Rose, praying a divorce from her husband, Frank Rose.

3. Mr. Bickley presented the petition of the President and Directors of the Dover and Minerva Turnpike Road Company, praying for a subscription, on the part of the State, to said road.

4. Mr. Beaty presented the petition of Langrado Mershon, praying a change of venue in the prosecution against him in Wayne county, for stabbing, with intent to kill.

5. Mr. S. Stevens presented the petition of sundry citizens of Whitley county, praying an amendment to the laws appropriating the proceeds of vacant lands in said county to the improvement of the roads therein.

6. Mr. Woods presented the petition of James A. Rice, praying a divorce from his wife, Lucinda H. Rice.

7. Also, presented the petition of sundry citizens of Pulaski county, praying a change in the place of voting in an election precinct in said county.

8. Mr. Mr. Morris presented the petition of sundry citizens of Louis-

ville, praying an amendment to the law giving to Mechanics therein liens for their labor.

Which were received, the reading dispensed with, and referred—the 1st, 2d and 6th to the committee on Religion; the 3d to the committee on Internal Improvement; the 4th and 8th to the committee on the Judiciary; the 5th to the committee on Ways and Means; and the 7th to Messrs. Woods, Beaty and S. Stevens.

Mr. Bledsoe reported a bill for the benefit of James Cowen's heirs.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Underwood, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of certain School Districts in this State,

Reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

On motion of Mr. Spurr, the said bill was further amended by adding an engrossed clause by way of ryder.

Ordered, That said bill be recommitted to the committee on Education.

Mr. Hite moved the following resolution, viz:

Resolved, That the committee on the Judiciary enquire into the propriety of passing a law requiring all Druggists and Apothecaries to have a license and certificate from a Medical Faculty or a Board of Physicians before they are permitted to sell medicines: and, also, to make it a penal offence on the part of any Apothecary or Druggist who may sell impure, damaged or adulterated medicines.

Which was adopted

Mr. Pope, from the committee on Internal Improvement, to whom was referred the petition of F. G. Everett, and the petition of sundry citizens of Nelson county, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

Mr. Pope, from the same committee ,to whom was referred bills of the following titles, viz:

A bill declaring certain streams in Floyd and other counties navigable.

A bill to incorporate the Russellville and Nashville Turnpike Road Company,

Reported the same, with amendments to each, which were concurred in.

Ordered, That said bills, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that he titles thereof be as aforesaid.

Mr. Hardin, from the same committee, to whom was referred bills of the following titles, viz:

A bill to allow the Lewis County Court to apply the proceeds of vacant lands, in said county, to the improvement of the navigation of Kinnacannic, and for other purposes.

A bill to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt River.

A bill to authorize the County Court of Boyle and Lincoln to take stock in certain Turnpike Roads,

Reported the same without amendment.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Internal Improvement—1. A bill to incorporate the Grayson and Catlettsburg Railroad Company.

By same—2. A bill to allow J. L. Jones and Jno. Adams to erect a mill dam on Licking River.

By same—3. A bill to regulate the public roads in Bullitt county.

By same—4. A bill to change a State road in Christian county.

By the committee on Banks—5. A bill to establish the Covington Bank of Kentucky.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, and 4th were severally ordered to be engrossed and read a third time; and the 5th was referred to a committee of the whole, and made the special order of the day for Monday next.

The rule of the House, constitutional provision and third reading of the 1st 2d, 3d and 4th bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 5th bill for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act for the benefit of Wm. and Sarah Compton.

Mr. Bledsoe, from the committee on Internal Improvement, reported a bill for the benefit of Silas H. Brewer and Levi Cowan.

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then put on the passage of said bill, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then resolved itself into a committee of the whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, Mr. Underwood in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

THURSDAY, FEBRUARY 1, 1849.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, an act to restore the right of licensing taverns in the town of Danville, to the County Court of Boyle.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Julius A. Labarthe.

An act for the benefit of Benjamin All.

An act to incorporate the Cumberland Presbyterian Church, in Henderson.

An act to incorporate the Bethlehem Baptist Church, of Hart county.

An act to incorporate the Boone Monumental Association.

An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.

An act to incorporate Barker Lodge, and for other purposes.

An act to incorporate the Bardstown Cemetery Company.

That they had passed bills of the following titles, viz:

An act to incorporate the town of Owenton, in Owen county.

An act for the benefit of John Jay Anderson.

An act allowing the Judge of the 16th Judicial District further time to move into his District.

An act for the benefit of Sarah S. Fowler.

An act to extend the corporate limits of Newport.

An act for the benefit of Radford J. Maxey, of Monroe county.

An act for the benefit of the heirs of Roley Mardis, deceased.

An act for the benefit of Warrenton S. Bland.

A bill for the benefit of James Haun, guardian of John James Haun.

An act for the benefit of the Sheriffs of Grant and Owen counties.

A bill to amend an act concerning mill dams, and other obstructions in water courses, approved 22d February, 1797.

1. Mr. Beaty presented the petition of Joshua Oatts, Sheriff of Wayne county, praying that further time be given him to collect arrearages of taxes, &c., due him.

2. Mr. Barlow presented the petition of Hardy Colwell, praying a divorce from his wife, Rebecca Colwell.

3. Mr. Wilson presented the petition of sundry citizens of Oldham county, praying the establishment of an election precinct at Ballardsville, in said county.

4. Also, the remonstrance of sundry citizens of Oldham county, against the establishment of an election precinct at Ballardsville, in said county.

5. Mr. Bickley presented the petition of the Trustees of the town of Germantown, praying an amendment to the laws relating to said town.

6. Mr. Miller presented the petition of the Trustees of the town of Portland, praying for the appointment of a Police Judge of said town.

7. Mr. R. G. Lewis presented the petition of sundry citizens of Fleming county, praying the passage of a law to protect them against the depredations of fishermen.

8. Mr. Huston presented the petition of Benjamin R. Gaines and wife, praying to be divorced from each other.

9. Also, the petition of Eliza Levings, praying to be divorced from her husband, Albert G. Levings.

Which were received, the reading dispensed with, and referred—the 1st and 7th to the committee on Propositions and Grievances; the 2d and 9th to the committee on Religion; the 3d and 4th to the committee on Privileges and Elections; the 5th to Messrs. Bickley, Best and Jefferson; the 6th to Messrs. Miller, Speed and Barnes; and the 8th to Messrs. Huston, Murphy and Thomas.

Leave was given to bring in the following bills, viz:

On motion of Mr. Wilson—1. A bill to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Floydsburg, Oldham county.

On motion of same—2. A bill to amend and reduce into one the several acts concerning the town of Lagrange.

On motion of Mr. Magruder—3. A bill for the benefit of the First Presbyterian Church in Shelbyville.

On motion of Mr. Logan—4. A bill to amend an act incorporating the town of Milton, in Trimble county.

On motion of Mr. Beaty—5. A bill for the benefit of James Renfro, of Knox county.

On motion of Mr. S. Stevens—6. A bill concerning the vacant lands in Whitley county.

On motion of Mr. Records—7. A bill for the benefit of the Clerks of the Pendleton County and Circuit Courts.

On motion of Mr. Menzies—8. A bill to change the place of holding the Kenton Chancery and Criminal Courts.

On motion of Mr. Morris—9. A bill to incorporate an Insurance Company by the name and style of "The Jefferson Insurance Company."

On motion of Mr. Towles—10. A bill to incorporate a Company to construct an Odd Fellows Hall in the town of Henderson.

Ordered, That Messrs. Wilson, Bassett and Logan prepare and bring in the 1st; Messrs. Wilson, Towles and Bassett the 2d; Messrs. Magruder, Barlow and Jones the 3d; Messrs. Logan Wilson and Bassett the 4th; Messrs. Beaty, Word and Woods the 5th; Messrs. S. Stevens, Eversole and Word the 6th; the committee on the Judiciary the 7th and 9th; Messrs. Menzies, Towles and Holaday the 8th; and Messrs. Towles, Hughes and Turner, the 10th.

On motion of Mr. Noe, leave of absence, for four days, was granted to Mr. Chenault.

The Speaker laid before the House a report from the President of the Board of Internal Improvement, in obedience to an act for the benefit of Spottswood Wills, which is as follows, to-wit:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
January 31st, 1849.

To the General Assembly of Kentucky:

In obedience to an act for the benefit of Spottswood Wills, approved March 1st, 1848, I have carefully examined the claims of said Wills against the Bardstown and Green River Turnpike Road Company, and report, to-wit:

1. From the settlement of accounts of said Wills, as Treasurer of said Company, made by D. S. Howell and Samuel Carpenter, together with the statement of those gentlemen under oath, I am clearly of the

opinion there is now due said Wills, as late Treasurer, the sum of two thousand eight hundred and eighteen dollars and forty cents. The supposed sum heretofore reported as due him, was $2,000, of which the State paid $1,333 33.

2. The State of Kentucky, as stockholder in said road, is bound for two thirds of the debts, and by an act of 1843, agreed to pay her portion thereof when ascertained. Therefore, her portion of the said sum of $2,818 40, will be one thousand four hundred and thirty four dollars and forty-nine cents—consequently, this sum of $1,434 49 cents, is justly due said Spottswood Wills from the State of Kentucky.

Which is respectfully reported,

O. G. CATES, *P. B. I. I.*

Ordered, That said communication be referred to the committee on Internal Improvement.

On motion of Mr. Bledsoe,

Ordered, That the select committee be discharged from bringing in a bill for the benefit of Joseph Riddle.

Ordered, That the committee on Claims prepare and bring in the same.

Mr. Spurr, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act for the benefit of certain School Districts in this State, reported the same with an amendment as a substitute for said bill, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House resumed the consideration of the bill for the benefit of Silas H. Brewer and Levi Cowan.

And the question being taken on the passage of said bill it was decided in the negative, and so said bill was rejected.

Mr. Bledsoe, from the committee on Internal Improvement, to whom was referred the petition of Joel Thomason, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Vertress, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend an act to incorporate the Rough and Ready Turnpike Road Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the committee on Internal Improvement, viz:

A bill authorizing a reconveyance of ten acres of land on Barren river to T. L. Stephens and James Ford.

A bill to amend the road law in the county of Campbell.

A bill to authorize the President and Directors of the Turnpike road between Bowlinggreen and Franklin, to locate a toll gate within one mile of Bowlinggreen.

A bill giving the County Courts of Laurel and Clay the power of appointing Commissioners and Overseers of the Goose Creek Turnpike Road.

A bill to repeal, in part, an act declaring Pond river a navigable stream.

A bill to incorporate the Paris and North Middletown Turnpike Road Company.

A bill to prevent the destruction of fish in the Little Kentucky river.

A bill for the benefit of Nathan Wallis, of Hickman county, and Robert Taylor, of Monroe county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Underwood, from the committee on Education, reported a bill to establish the Kentucky College of Medicine and Surgery; which was read the first time, and ordered to be read a second time.

Mr. Underwood, from the minority of the committee on Education, made the following report, viz:

The undersigned, minority of the committee on Education, to whom was referred the petition of Coleman Rogers, and others, for a charter of a new Medical School in Louisville, and the bill to incorporate the same, beg leave to report:

That it is with regret they find themselves differing with the majority of their committee; and were that majority more decisive, (it being but a majority of one,) or were the measure less important, not only to the interests of Louisville, but to the greater interests of the State and of society at large, they would be silent. As it is, they venture, very briefly, and avoiding all tedious details, to present the reasons which have led them to differ with the majority of the committee, and to conclude that the petition and bill in question should be rejected.

The dearest interests of man—his health, and the preservation of his existence, are submitted with blind trust to the physician, who, in sick-

ness attends him. Unlike all most all other vocations, the common people have no adequate means or opportunities of arriving at correct conclusions as to the skill or knowledge of those to whom they thus entrust the lives of themselves and families. Unseen of any, competent to judge, in the silence of night and amidst the sorrow and solitude and suffering of the sick room, the physician is called to administer his medicines and exert his skill. Death tells no tales. And if the patient dies, the ready excuse that the disease was violent and beyond all remedy, admits of no trial, appeal or question—and the triumph of empiricism is crowned by the death of its victim. The only security society has against these sad results, is the requisition it has attempted to impose but too frequently in vain—upon those who are thus called to minister in these painful vicissitudes or dire extremities of human life, that they shall store their minds with the treasures of medical instruction and receive diplomas, attesting their proficiency and learning from institutions authorized by law to give them. The value of these depends alone upon the character and standing, the independence and honor of the school, or authority that bestows them. Hence, it is of incalculable importance to the State, and to the widest ramefications of society, that nothing should be done to lessen or diminish the necessary attainments of those to whom these diplomas are given—or to cause them, however remotely, to be conferred from any indirect or sinister considerations. Personal interest should be subjected to no temptation to run counter to these great interests of society—but should yield in quiet subordination to the greater good of the greater number.

Impressed with the truth of these great principles, the undersigned are of the opinion that the establishment of another Medical School, in Louisville, is in direct conflict with them. Already the faculty, with which swarms of ignorant pretenders to the honors and emoluments of the doctorate, are annually sent forth from our mediocre Medical Institutes, to tamper with human existence, has become one of the curses of the age; and the medical diploma, purchased by money, or the formal attendance, for a certain number of days at a certain number of lectures, and not by learning, has almost ceased to be even *prima facie* evidence of the attainments of its possessor.

The multiplication of Medical Colleges in the same immediate vicinity, is but to multiply this evil—as indeed, the undersigned believe it has produced it, mainly. *The country does not want more Doctors, but better ones.* Near 45,000 of them, now, big and little, come forth annually from our regular colleges, with cane and saddle bags, their most innocent attainments, to fatten on the diseases of the land. Add to this the innumerable army of Thompsonians and Homœpathists, and Indian physic and patent pill practitioners, and it is no less true in medicine than in divinity, that "by grace ye are saved."

The undersigned intend no reflection upon the distinguished gentlemen at the head of the present Medical School in Louisville, nor upon those who may be at the head of the proposed one. It is fair to conclude they are neither better nor worse than others; and that, placed in similar circumstances, and influenced by like motives, they will act like others have done. The limited observation of the undersigned, and the concurrent testimony of the most enlightened and disinterested witnesses they have

consulted, leave no doubts upon their minds, that if two Medical Colliges are placed in such jostling proximity as both to be located in Louisville, with a population not exceeding 45,000, and with but one small hospital common to them both, as proposed by the bill in question, the worst consequences to the cause of medical science, no less than to the peace and harmony of the professors and pupils of each, must eventually ensue. The undersigned will not draw out, in detail, the exemplification of these principles—satisfied with declaring that, according to their information and belief, they have not failed to exhibit their effects whereever they have been brought into action. In the large cities of New York and Philadelphia, they may not apply, because two or three Medical Schools would be as a drop in the ocean of their population, and from the boundless facilities for hospital and clinical practice they afford, would produce no felt impression upon the harmony of their vast society. It is upon this principle, and because the pecuniary interests involved excite no violent rivalries that our country and village schools co-exist, and create no social disturbances. Not so with large institutions in small cities. Baltimore, Charleston, St. Louis and Cincinnati, not to enumerate a score of others, are striking instances of a state and strength of population and advantages sufficient for one successful Medical School, but totally insufficient for two.

How Louisville, then, with a population less than all of the above named cities but one, can hope to avoid the rock upon which they have split, is unknown.

The undersigned have not understood, it is contended, that the present Medical School in Louisville is unable to receive and instruct all the pupils that attend it; or that the character of the instruction imparted by it is not equal to that of any school in the west. Two reasons only appear to be assigned why a new Institution should be chartered. One is, that all applications for charters of schools, colleges, &c., as a matter of course, should be granted, for to refuse to do so would be to tolerate monopolies and suppress competition. The other is, that the salaries of the professors of the present school are enormous, and sufficient, if divided, to support another corps of professors. As to the first reason, the undersigned reply, that if it proves any thing, it proves too much. If, as a matter of course and of right, the charter now proposed is to be given, it will be alike a matter of course and of right, that all other charters for like purposes should also be given; and that the great interests of society, which we have attempted to portray, so sacred and undefended save by legislative protection, will be lost in the multitude of petty institutions which, under this leveling principle, would spring up. If the advocates for the new school rest its claims on the anti-monopoly principle, surely they have no need for a legislative charter. No law prohibits any gentleman, or association of gentlemen, from giving medical lectures and certificates of medical proficiency. If, however, it is deemed expedient to apply for legislative incorporation, it cannot be objected that the Legislature consider how far the general welfare of society is promoted by granting it. Who would think it just or wise to charter another University at Lexington, or College at Danville? Yet if the principle contended for is granted, without restriction, there is no alter-

native left to our legislative action, no matter how certainly we may destroy existing institutions.

As to the second reason, to-wit: that the salaries of the professors of the present school are enormous, &c., the undersigned observe, that if so, they apprehend it is in the power of the Trustees of the University of Louisville to correct it. They are happy, however, further to remark, that while this alledged fact has been incidentally alluded to, it has scarcely been pressed as an argument before them. The triumphs and rewards of distinguished learning and ability, justly won or voluntarily bestowed are subjects for generous commendation and incentives for lofty effort, legislative interference should rarely be interposed to limit the honorable emoluments of merit; and never should the great interest of society be sacrificed or endangered, because those in whose hands they were committed, by the force of talent, subserved at once their private interests and the public good.

All of which is respectfully submitted,

W. L. UNDERWOOD,
A. T. NOE,
PRESLEY EWING.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Pope proposed an amendment to said bill, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

A message was received from the Senate, by Mr. Bruce, announcing that they were ready, on their part, to execute the joint resolution, by proceeding to the election of a Senator in Congress for six years, from the 4th day of March next.

Ordered, That Mr. Hughes inform the Senate that this House is also ready to proceed with said election.

Mr. Beaty nominated Mr. Henry Clay as a suitable person to fill that office, and Mr. Duvall nominated Mr. Richard M. Johnson; and the vote being taken, stood thus:

Those who voted for Mr. Clay, were—

Mr. Speaker,	Hardin,	Napier,
Messrs. Alexander,	Harreld,	Pope,
Anderson,	Harrison,	Reynolds,
Barnes,	Hayden,	Rhea,
Beaty,	Hite,	Robertson,
Best,	Holladay,	Rodman,
Bibb,	Holton,	Smith,
Bickley,	Hughes,	Speed,
Blair,	Huston,	Spurr,
Bledsoe,	Jackson,	Stevens, S.
Boarman,	Jefferson,	Stewart, M.
Chenault,	Jones,	Stuart, J.
Collins,	Lewis, D. P.	Swan,

Conklin,	Lewis, R. G.	Terrill,
Crenshaw,	Magruder,	Thomas,
Dunlap,	McClarty,	Towles,
Eubank,	McFarland,	Turner,
Eversole,	McLarning,	Underwood,
Ewing,	Menzies,	Vertress,
Ford,	Morris,	Whitsett,
Garred,	Miller,	Woods,
Gordon,	Murphy,	Word—66.

Those who voted for Mr. Johnson, were—

Messrs. Barbee,	Garland,	Noe,
Barlow,	Grundy,	Records,
Bassett,	Harris,	Reiley,
Butler,	Headley,	Shawhan,
Cargill,	Johnson,	Sherwood,
Cottle,	Leonard,	Stevens, J.
Daviess, W.	Logan,	Thompson,
Davis, J. W.	Lucas,	Vaughan,
Davis, J.	Mason,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Newell,	Wilson—34.
Duvall,		

Messrs. Hughes, Ewing and W. Daviess were appointed a committee, on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Hughes, from the said committee, reported that the joint vote stood thus:

For Mr. Henry Clay, - - - - - - - - - 93
For Mr. R. M. Johnson, - - - - - - - - - 45

Whereupon, Mr. Henry Clay was declared duly elected Senator in Congress from this State, for six years, from the 4th day of March next.

The House again resolved itself into a committee of the whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State; Mr. Underwood in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

FRIDAY, FEBRUARY 2, 1849.

1. Mr. Wilson presented the remonstrance of sundry citizens of Jefferson and Oldham counties, against a charter for a Turnpike Road from Louisville to the Oldham county line.

2. Also, the petition of sundry citizens of Jefferson and Oldham counties, praying for the charter of a Company to construct a Turnpike Road from Louisville, by the Falls of Harrod's Creek, to Brownsboro', in Oldham county.

3. Mr. Grundy presented the petition of George W. Hopkins, praying a divorce from his wife, Martha S. J. Hopkins.

4. Mr. Mason presented the petition of sundry citizens of Bath, Bourbon, Montgomery and Nicholas counties, praying the establishment of a new county out of parts thereof.

5. Mr. Towles presented the memorial of the Trustees of Augusta College, upon the subject of the repeal of its charter.

6. Mr. Morris presented the petition of the Mayor and Council of the city of Louisville, praying an amendment to the charter of said city, and to the charter of the Louisville and Frankfort Railroad Company.

7. Also, the petition of Mary R. Carr, praying the passage of a law authorizing a sale of certain real estate and slaves, belonging to her husband, who is a lunatic.

8. Mr. Barnes presented the petition of Joshua Moore, praying that the proceedings of a special term of the Estill County Court, held in April, 1848, be legalized.

9. Mr. Bickley presented the petition of the City Council of the city of Maysville, praying that authority be given to confine persons in the jail of Mason county for offences against the city ordinances.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Internal Improvement; the 3d to the committee on Religion; the 4th to the committee on Propositions and Grievances; the 5th, 6th and 7th to the committee on the Judiciary; the 8th to Messrs. Barnes, Pope and J. Stuart; and the 9th to Messrs. Bickley, Blair and Best.

Mr. Reily asked leave to bring in a bill for the benefit of Marcella G. and Elizabeth S. DeCourcey, which was granted.

Ordered, That Messrs. Reiley, Cargill and McConnell, prepare and bring in the same.

The House resumed the consideration of the bill to establish the Kentucky College of Medicine and Surgery.

The amendment proposed by Mr. Pope was then adopted.

Ordered, That the further consideration of said bill be postponed until Monday next, and that it be made the special order of that day.

Mr. Underwood, from the committee on Education, reported the following bills, viz:

A bill to reduce into one the several acts concerning Common Schools, and for the purpose of establishing, more permanently, a Common School System in this State.

A bill to incorporate a Literary Association in the county of Garrard.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was made the special order of the day for Thursday next, and the 2d was ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

The House again resolved itself into a committee of the whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, Mr. Underwood in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

At half past 2 o'clock, P. M., Mr. Holladay moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Harris and J. Stevens, were as follows viz:

Those who voted in the affirmative, were—

Messrs. Beaty,	Holton,	Reynolds
Best,	Hughes,	Robertson,
Bickley,	Lewis, D. P.	Rodman,
Butler,	Mason,	Smith,
Daviess, W.	McClarty,	Speed,
Davis, J. W.	McFarland,	Spurr,
Dunlap,	McLarning,	Stewart, M.
Ewing,	Menzies,	Thomas,
Grundy,	Miller,	Underwood,
Hardin,	Morris,	Vertress,
Harrison,	Newell,	Whitsett,

Hite,	Pope,	Woods,
Holladay,	Records,	Word—39.

Those who voted in the negative, were—

Mr. Speaker,	Duvall,	Magruder,
Messrs. Anderson,	Eubank,	McConnell,
Barbee,	Eversole,	Napier,
Barlow,	Ford,	Reiley,
Barnes,	Garland,	Rhea,
Bassett,	Garred,	Shawhan,
Bibb,	Harreld,	Sherwood,
Blair,	Harris,	Stevens, J.
Bledsoe,	Hayden,	Stevens, S.
Boarman,	Headley,	Stuart, J.
Cargill,	Huston,	Swan,
Collins,	Jackson,	Terrill,
Conklin,	Johnson,	Thompson,
Cottle,	Jones,	Towles,
Crenshaw,	Leonard,	Vaughan,
Davis, J.	Lewis, R. G.	Vickers,
Dodds,	Logan,	Wallace,
Dohoney,	Lucas,	Wilson—54.

Mr. Vertress moved a call of the House, and that the absentees be sent for.

Mr. Mason moved an adjournment.

The Speaker decided the motion out of order.

From which decision of the Chair, Mr. Mason took an appeal.

Mr. Vertress then withdrew his motion to send for the absentees.

At 4 o'clock, P. M., the question was taken on the adjournment, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rodman and Gordon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Morris,
Messrs. Barbee,	Hardin,	Napier,
Barnes,	Harreld,	Newell,
Bassett,	Harrison,	Pope,
Best,	Hayden,	Records,
Bickley,	Headley,	Reiley,
Bledsoe,	Hite,	Reynolds,
Crenshaw,	Holladay,	Robertson,
Daviess, W.	Holton,	Sherwood,
Davis, J. W.	Jones,	Smith,
Davis, J.	Lewis, D. P.	Speed,
Dodds,	Lewis, R. G.	Spurr,
Dunlap,	Logan,	Stevens, J.
Duvall,	Lucas,	Stewart, M.
Eubank,	Mason,	Swan,
Eversole,	McClarty,	Underwood,

Ewing,	McConnell,	Vickers,
Ford,	McFarland,	Whitsett,
Garland,	Miller,	Word—57.

Those who voted in the negative, were—

Messrs. Anderson,	Gordon,	Shawhan,
Barlow,	Harris,	Stevens, S.
Beaty,	Hughes,	Stuart, J.
Bibb,	Huston,	Terrill,
Blair,	Jackson,	Thompson,
Boarman,	Johnson,	Towles,
Butler,	Leonard,	Turner,
Cargill,	Magruder,	Vaughan,
Collins,	McLarning,	Vertress,
Conklin,	Noe,	Wallace,
Cottle,	Rhea,	Wilson,
Dohoney,	Rodman,	Woods—37.
Garred,		

SATURDAY, FEBRUARY 3, 1849.

A message was received from the Senate, announcing their disagreement to bills from this House, of the following titles, viz:

An act for the benefit of the heirs of Hiram Beazley, deceased.

An act for the benefit of George W. Finnie.

That they had passed bills from this House, of the following titles, viz:

An act for the relief of Henry D. Gilmore and Keziah Gilmore, infant heirs of Winston Gilmore, deceased.

An act to divorce George W. McKinney.

An act to divorce Willis Hammon.

An act to divorce William H. Jackson.

An act to allow an additional Justice of the Peace to the county of Adair.

An act to establish an additional election precinct in Allen county.

An act to establish a new Constable's District in the county of Boyle.

An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.

An act to change the names of William Preston Smith and others, of Henderson county.

An act for the benefit of John C. Walker, guardian of Henry A. Ditto.

An act to legitimate Walter Winston Anderson.

An act to enlarge the Haydensville Constable's District, in the county of Todd.

An act to incorporate the Maysville Linen Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.

An act to amend an act, entitled, an act to incorporate the town of Greensburg.

An act for the benefit of Lodge No. 138, of Ancient York Masons.

An act authorizing the sale of certain alleys in Winchester.

An act allowing additional election precincts in Rockcastle and Knox counties.

An act to change the place of voting at an election precinct in Hardin county.

An act to divorce Annie E. Fairbairn.

An act to divorce John Richmond.

An act to divorce Brazilla Peyton and William Rankin.

An act to divorce Robert Langford.

An act in relation to the Madison and Wilderness Turnpike Road.

An act to amend the charter of the Lexington and Frankfort Railroad Company.

1. Mr. Vaughan presented the petition of sundry citizens of Green county, praying that an additional Constable be allowed to said county.

2. Also, the petition of Milly A. Skaggs, praying that her name be changed.

3. Mr. Cottle presented the petition of Lott Adams and others, in his behalf, praying permission to build a Mill Dam across Licking River.

4. Mr. Rodman presented the petition of sundry citizens of Larue county, praying that an additional Constable be allowed to said county.

5. Mr. Pope presented the memorial of sundry citizens of the city of Louisville, praying the establishment of a Commercial College in said city.

6. Mr. Blair presented the petition of Louisa Burriss, praying a divorce from her husband, Francis Burriss.

Which were received, the reading dispensed with, and referred—the 1st and 2d to Messrs. Vaughan, Barbee and Wilson; the 3d to the committee on Internal Improvement; the 4th to Messrs. Rodman, Hardin and Vertress; the 5th to Messrs. Pope, Morris and J. Stuart, and the 6th to the committee on Religion.

The Speaker laid before the House the response of the 1st Auditor, to the resolution of the 27th ultimo, requesting information in relation to the State debt, which is as follows, viz:

AUDITOR'S OFFICE,
February 3d, 1849.

To the Hon. GWYN PAGE,
Speaker of the House of Representatives.

SIR: In answer to a resolution of the body over which you preside, of the 27th ult., requesting of the undersigned certain information in reference to the Debt of the State, the following statements are submitted:

On the 21st day of August, 1848, the Commissioners of the Sinking Fund passed resolutions as follows:

Resolved, That the Auditor of Public Accounts open accounts for the statement of the State Debt, entire, and for the different items composing the same; and that he keep up the same, by regular entries, as the same may be increased by issue of new bonds, or diminished by the redemption of any of those outstanding.

Resolved further, That said Auditor take as the basis of said accounts the following, as composing the State Debt on the 30th December, 1846, viz:

5 per cent bonds issued to Northern Bank, - -	$ 250,000
5 per cent bonds payable 35 years after date, -	165,000
5 per cent bonds payable 30 years after date, -	450,000
6 per cent bonds, 30 years after date, - -	3,594,000
6 per cent $100 six year bonds, - - -	49,000
6 per cent $1,000 Railroad bonds, - - -	84,000
Railroad and Internal Improvement scrip, - -	426
Amount due to the Craddock Fund, - -	5,450
	$4,598,476

It was from this account, opened and kept up in the manner indicated in the resolutions, that the statement of the Debt of the State, in the report of the Commissioners of the Sinking Fund, was taken; and the redemption of a Railroad Bond, for $1,000, on the 30th of December last, after the preparation of the Annual Message of the Governor, occasioned the difference between his statement of the Debt and that of the Sinking Fund Board.

The great convenience and propriety of such an account will be very obvious. The precise manner in which this statement of the State Debt, which the Auditor was required to take as the basis of his account, was obtained, does not fully appear, nor are there any sources of information pertaining to this office, from which it could have been made out; it would appear, however, to have been taken from a statement prepared by the Secretary of State, accompanying the Annual Message of the Governor, of the 31st of December, 1844, and from which regular statements of the Public Debt, together with the changes it had undergone, were made in the successive annual communications from the Executive to the Legislature. Such a statement must have been the result of great and protracted research made in the examination of the Executive Journal, registers of cancelled bonds, and the papers belonging to the Department of State.

The following statement of issues of the State Bonds, from time to time, will convey much of the information required in the resolution.

To Northern Bank of Kentucky, under act of incorporation, bonds issued, $1,000,000, bearing interest at the rate of 5 per cent, payable in thirty years, or six years after expiration of the charter of the Bank—amount reduced by act of 8th March, 1843, to - - - $ 250,000

To Bank of Kentucky, issued May 25th, 1835, under act of 28th February, 1835, bonds payable in thirty years, bearing an interest of 5 per cent, amounting to - - 100,000

To Prime, Ward & King, bonds issued, dated 1st August, 1835, under same act, payable thirty years from date, bearing interest at the rate of 5 per cent, amounting to 100,000

To Northern Bank of Kentucky, bonds issued, dated 27th April, 1836, under act of February 29th, 1836, payable thirty years from date, bearing interest at the rate of 5 per cent, amounting to - - - - - 100,000

To Bank of Kentucky, bonds issued June 1st, 1836, under act of 29th February, 1836, payable thirty years after date, bearing interest at the rate of 5 per cent, amounting to - - - - - - - 50,000

To War Department, bonds issued April 1st, 1837, under act of 23d of February, 1837, payable thirty five years after date, bearing interest at the rate of 5 per per cent, amounting to - - - - - - 165,000

To American Life Insurance and Trust Company, bonds issued July 1st, 1838, under act of February 16th, 1838, payable thirty years after date, bearing interest at the rate of 6 per cent, amounting to - - - 1,250,000

To Contractors on the Public Works, and others, bonds issued from 22d April, 1840, to 19th February, 1841, under act of 22d February, 1839, payable thirty years after date, interest 5 per cent, amounting to - - - - - 33,000

To Contractors and others, bonds of the denomination of one hundred dollars each, issued between the 22d April, 1840, and the 19th of February, 1841, under act of 21st February, 1840, payable six years after date, and bearing 6 per cent interest, amounting to - - - - - 609,500

To Northern Bank of Kentucky, bonds issued November 4th, 1840, under act of 21st February, 1840, payable thirty years after date, interest 6 per cent, amounting to 235,000

To Bank of Kentucky, bonds issued November 4th, 1840, under act of 21st February, 1840, payable thirty years after date, interest 6 per cent, amounting to - - - 180,000

To Contractors and others, bonds issued between the 3d of April, 1841, and 3d of Jan., 1842, under acts of February 21st, 1840, and Feb. 18th, 1841, payable thirty years after date, interest 6 per cent, amounting to - - - 608,000

To Contractors, and in exchange for 6 year bonds, between the 3d of March, 1842, and 1st of April, 1846, bonds issued under acts of 3d of March, 1842, 11th of March, 1843, and 2d of March, 1844, payable thirty years after date, interest 6 per cent, amounting to - - - 1,133,000

Between 3d of March, 1842, and 14th December, 1843, bonds for the repair of the Lexington and Ohio Railroad, for $1,000 each, issued to sundry persons, payable 6 years after date, interest 6 per cent, under act of 3d of March, 1842, amounting to - - - - - - -	$ 99,000
To John Tilford, Agent of the State to sell bonds, issued September 2d, 1843, under act of 8th March, 1843, payable thirty years after date, interest 5 per cent, (sold in the East,) amounting to - - - - - - -	100,000
To sundry persons, bonds issued, dated 1st of Jan., 1845, under act of 1st of March, 1844, for exchange of State bonds, payable 30 years after date, interest 6 per cent, amounting to - - - - - - - - -	150,000
To sundry persons, under acts of 23d of February, 1846, and 1st of March, 1847, bonds issued between the 7th of October, 1846, and 15th of June, 1848, payable thirty years after date, interest 6 per cent, amounting to - -	7 0,000

A large part of most of these issues has been redeemed, and the balances outstanding constitute the greater part of the indebtedness of the State.

Of the 5 per cent bonds, there was outstanding at the date of the report of the Commissioners of the Sinking Fund, the sum of - - - - - - - - - -	$ 836,000 00
Of the thirty year 6 per cent bonds, - - - - -	3,653,000 00
Of the six year 6 per cent bonds, of $100 each, - - -	1,600 00
Of the six year 6 per cent Railroad bonds, of $1,000 each,	35,000 00
Of amount due the Craddock Fund, - - - - -	6,092 81
Of Internal Improvement and Railroad scrip, issued by the Northern Bank of Kentucky, under the act of 3d March, 1842, - - - - - - - - - - -	221 00
	$4,531,913 81

All of this debt, except the small scrip issued by the Northern Bank, is evidenced by the bonds of the State, signed and issued by the Governor or Lieut. and acting Governor, in office, at the respective dates of their issue. To state more particularly than is done before, to whom this large number of bonds is made payable, would require a list of names too great for an ordinary communication, and is not supposed to be desirable. As these bonds, besides the persons to whom they are directly issued, are made payable to bearer, it will be evidently impossible to say by whom they are held.

"The $1,299,268 42, held for the benefit of the Board of Education," makes no part of the debt of the State, as stated above. That debt consisted, originally, in three bonds of the State, in which $850,000 of the surplus revenue, set apart for purposes of Common Schools, was invested by the Commissioners of the Sinking Fund, under the provisions of a law of 1837, for the investment of the surplus revenue, two of the Banks of the State having declined the conditions of the law investing said funds in their stocks. Afterwards the interest on this original sum, having accumulated, was re-invested in State bonds under an act of the 23d of February, 1839; and still more recently the accumulations of said fund

have been invested in stock of the Bank of Kentucky to the amount of $73,500; which sums, together with the sum of $308,268 42, for which a bond, issued under the provisions of the act of 29th February, 1848, providing for a settlement with the Board of Education, composes the whole Common School Fund. For a particular statement of the Common School Fund. I would refer to the report of the 2d Auditor, page 422.

Thus I have endeavored to answer, as fully as possible, the several queries in the resolution; and have been, perhaps, more detailed in some of my statements than seemed to be demanded; but it is believed that the object of the resolution will thereby be the more fully attained.

Respectfully,

J. B. TEMPLE,

Auditor of Public Accounts.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in the House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Kinnicanick Bridge Company.

An act to authorise Larue county to use the jail of Hardin county.

An act to incorporate the Mount Sterling and Red River Railroad Company.

An act for the benefit of Julius A. Labarthe.

An act to amend the law for the appointment of Commissioners to take acknowledgments of deeds, &c.

An act to divorce Jas. C. Gourley, John Carroll, Sr., and John Cowen.

An act authorizing the Campbell County Court to appoint an additional Justice of the Peace, to grant injunctions, &c.

An act allowing Carter county an additional Justice of the Peace, and for other purposes.

An act to extend the terms of the Morgan Circuit Court.

An act to divorce Richard C. Guy.

An act granting a change of venue to Wm. P. Hart.

An act for the benefit of Elizabeth and Asa Hiatt.

An act allowing an additional Justice of the Peace to Muhlenburg county.

An act to divorce Nancy Murphy.

An act to divorce Louisa Green.

An act for the benefit of the Trustees of Morganfield.

An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1, 1847.

An act for the benefit of William Giles.

An act to change an election precinct in Pulaski county.

An act to change the place of voting in an election precinct in Butler county.

An act for the benefit of the Sheriff of Meade county.

An act to amend an act, approved 26th February, 1848, incorporating the town of Monticello.

An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.

An act for the benefit of the School Commissioners of Casey county.

An act to amend the law in relation to private passways in Pike county.

An act for the benefit of William Blair.

An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.

An act authorising a change of the State road in Lewis county.

An act to divorce William Young.

An act for the benefit of Samuel Dews, of Spencer county.

An act concerning the town of Lancaster.

An act for the benefit of John Caudle, of Letcher county.

An act to divorce Maria Chapman.

An act to divorce John and Nancy Eversole.

An act to repeal the law repealing an act giving the county of Green-up one road Commissioner.

An act to divorce Lucinda Haydon.

An act to divorce William Grissum.

A resolution requesting the Convention to submit the new Constitution to the people for ratification or rejection.

Preamble and resolutions in relation to water rotted hemp.

And bills and resolutions which originated in the Senate, of the following titles, viz:

An act to amend the charter and laws of the town of Newport.

An act to amend the law relating to Pedlers.

An act to divorce Hannah Dolan.

An act for the benefit of Zilla Goldsberry.

An act for the benefit of George Coulon and Amanda Bileter.

An act to extend the time of surveying and returning Kentucky Land Office Warrants to the Register's Office.

An act to release the Louisville Savings Institution from certain taxes.

An act to divorce David E. and Lucinda Baker.

An act to divorce Nancy Landy.

An act to divorce Sarah A. Stevens.

An act for the benefit of Peter Conway, of Fleming county.

A resolution to unite in the funeral obsequies of the late Capt. W. S. Harris.

A resolution providing for the appointment of Reporters to report the proceedings of the Convention.

A message was received from the Senate, by Mr. Hobbs, asking leave to withdraw their report announcing the passage of a bill from this House,

entitled, an act for the benefit of John Carr, a lunatic; which was granted, and the bill was withdrawn.

Mr. Dohoney moved the following resolution, viz:

Resolved, That we, the Representatives of the people of Kentucky, are opposed to abolition or emancipation of slavery in any form or shape whatever.

Mr. Ewing moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dohoney and Bledsoe, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barnes,	Menzies,	Reynolds,
Best,	Miller,	Rhea,
Blair,	Morris,	Robertson,
Ewing,	Pope,	Towles,
Hardin,	Reiley,	Word—15.

Those who voted in the negative, were—

Mr. Speaker,	Garred,	Murphy,
Messrs. Anderson,	Gordon,	Napier,
Barbee,	Grundy,	Newell,
Barlow,	Harreld,	Noe,
Bassett,	Harrison,	Records,
Beaty,	Harris,	Rodman,
Bibb,	Hayden,	Shawhan,
Bickley,	Headley,	Sherwood,
Bledsoe,	Hite,	Smith,
Boarman,	Holladay,	Spurr,
Butler,	Holton,	Stevens, J.
Cargill,	Hughes,	Stevens, S.
Collins,	Huston,	Stewart, M.
Conklin,	Jackson,	Stuart, J.
Cottle,	Johnson,	Swan,
Crenshaw,	Jones,	Terrill,
Daviess, W.	Leonard,	Thomas,
Davis, J. W.	Lewis, D. P.	Thompson,
Davis, J.	Lewis, R. G.	Turner,
Dodds,	Logan,	Underwood,
Dohoney,	Lucas,	Vaughan,
Dunlap,	Mason,	Vertress,
Duvall,	McClarty,	Vickers,
Eubank,	McConnell,	Wallace,
Eversole,	McFarland,	Wilson,
Ford,	McLarning,	Woods—79.
Garland,		

Mr. Hughes moved to amend said resolution by adding thereto the following, viz:

"Except as now provided for by law and the Constitution."

Mr. Boarman moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Towles and Hardin, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Ford,	McFarland,
Barbee,	Garred,	McLarning,
Barlow,	Grundy,	Miller,
Barnes,	Harreld,	Murphy,
Beaty,	Harrison,	Napier,
Best,	Harris,	Noe,
Bibb,	Hayden,	Records,
Bickley,	Headley,	Shawhan,
Bledsoe,	Holladay,	Sherwood,
Boarman,	Holton,	Smith,
Cargill,	Hughes,	Stevens, J.
Collins,	Huston,	Stevens, S.
Cottle,	Jackson,	Thomas,
Crenshaw,	Johnson,	Thompson,
Davis, J.	Jones,	Turner,
Dodds,	Leonard,	Vaughan,
Dohoney,	Lewis, D. P.	Vertress,
Dunlap,	Logan,	Vickers,
Duvall,	Lucas,	Wallace,
Eubank,	McClarty,	Wilson,
Eversole,	McConnell,	Woods—63.

Those who voted in the negative, were—

Mr. Speaker,	Lewis, R. G.	Rodman,
Messrs. Bassett,	Mason,	Speed,
Butler,	Menzies,	Spurr,
Conklin,	Morris,	Stewart, M.
Davis, J. W.	Newell,	Stuart, J.
Ewing,	Pope,	Swan,
Garland,	Reiley,	Terrill,
Gordon,	Reynolds,	Towles,
Hardin,	Rhea,	Underwood,
Hite,	Robertson,	Word—30.

The main question was then put, "Shall the amendment proposed by Mr. Hughes be adopted?" and it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Cargill, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,	Gordon,	Newell,
Messrs. Anderson,	Grundy,	Noe,
Barbee,	Hardin,	Pope,

Barlow,	Harreld,	Records,
Barnes,	Harrison,	Reiley,
Bassett,	Harris,	Reynolds,
Beaty,	Hayden,	Rhea,
Best,	Headley,	Robertson,
Bibb,	Hite,	Rodman,
Bickley,	Holladay,	Shawhan,
Blair,	Holton,	Sherwood,
Bledsoe,	Hughes,	Smith,
Boarman,	Huston,	Speed,
Butler,	Jackson,	Spurr,
Cargill,	Johnson,	Stevens, J.
Collins,	Jones,	Stevens, S.
Conklin,	Leonard,	Stewart, M.
Cottle,	Lewis, D. P.	Stuart, J.
Crenshaw,	Lewis, R. G.	Swan,
Davis, J. W.	Logan,	Terrill,
Davis, J.	Lucas,	Thomas,
Dodds,	Mason,	Thompson,
Dohoney,	McClarty,	Towles,
Dunlap,	McConnell,	Turner,
Duvall,	McFarland,	Vaughan,
Eubank,	McLarning,	Vertress,
Eversole,	Menzies,	Vickers,
Ewing,	Miller,	Wallace,
Ford,	Morris,	Wilson,
Garland,	Murphy,	Woods,
Garred,	Napier,	Word—93.

In the negative—None.

Mr. Cottle moved the following resolution, viz:

Resolved, That the members of this House do meet at 9 o'clock, A. M., the balance of the present session.

Which was adopted.

Mr. Johnson moved the following resolution, to-wit:

Resolved, That the committee on Ways and Means be instructed to inquire into the expediency of bringing in a bill causing the Commissioners of the Lunatic Asylums of Kentucky to settle with the 1st Auditor, each year hereafter; to exhibit to him vouchers for all disbursements, whether from the State appropriations, or from funds paid by friends of the lunatics, or from their estates; and that the 1st Auditor make a report of the same each year to the Legislature.

Which was adopted.

Mr. McLarning read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Col. Charles S. Todd, Col. Richard M. Johnson, and all the other surviving officers of the North Western Army, in the war of 1812, be and they are hereby invited to meet their old companion in arms, Gen. Taylor, in Frankfort, on his expected visit, whilst on his way to Washington city.

The rule of the House requiring joint resolutions to lie one day on the table, having been dispensed with,

The said resolution was then amended, and as amended, twice read and concurred in.

Leave was given to bring in the following bills, viz:

On motion of Mr. Terrill—1. A bill for the benefit of S. D. Stratton, of Ballard county.

On motion of Mr. D. P. Lewis—2. A bill requiring coffee-house keepers and other licensed retailers of spirituous liquors, to pay a tax to the State.

On motion of Mr. Anderson—3. A bill to change the venue in the case of Willis Walden, indicted for murder in the Boyle Circuit Court.

On motion of Mr. Harreld—4. A bill authorizing the County Court of Butler to change the State road leading from Bowlinggreen to Greenville.

On motion of same—5. A bill declaring Big Mud creek, in Butler county, a navigable stream.

On motion of Mr. Thomas—6. A bill for the benefit of the School Commissioners of Casey county.

On motion of Mr. McLarning—7. A bill to incorporate the South Kentucky Institute.

On motion of Mr. Eversole—8. A bill for the benefit of Hiram Begley, former Sheriff of Perry county.

On motion of Mr. Bledsoe—9. A bill for the benefit of Sophia Scott, of Cumberland county.

On motion of Mr. Barnes—10. A bill to incorporate the town of Irvine, in the county of Estill, and for other purposes.

On motion of same—11. A bill to charter the Irvine Seminary, in the county of Estill.

On motion of Mr. R. G. Lewis—12. A bill for the benefit of Milly Walker, of Fleming county.

On motion of Mr. Harris—13. A bill to authorize the Johnson County Court to sell a portion of the public square in said county.

On motion of same—14. A bill to appoint Trustees for the Prestonsburg Seminary, and for other purposes.

On motion of Mr. Conklin—15. A bill to provide for the attendance of witnesses before Grand Juries.

On motion of Mr. Vaughan—16. A bill to extend the limits of the town of Campbellsville.

On motion of Mr. J. W. Davis—17. A bill to regulate the fees of Clerks of Courts, and for other purposes.

On motion of Mr. Swan—18. A bill to authorize the Clerks to issue *subpoenas duces tecum* without a previous order of Court.

On motion of Mr. Bassett—19. A bill to repeal an act, entitled, an act to change an election precinct in the county of Henry, from the house of James Ethington to the house of N. L. Oliver, approved March 1st, 1847, and for other purposes.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 3d, 8th, 15th, 17th and 18th; the committee on Ways and Means the 2d; Messrs. Harreld, Barnes and Ford the 4th and 5th; Messrs. Thomas, Dunlap and Best the 6th; Messrs. McLarning, Underwood and Harrison the 7th; Messrs. Bledsoe, Barlow and Towles the 9th; Messrs. Barnes, Hite and Ewing the 10th and 11th; Messrs. R. G. Lewis, Miller and J. Stuart the 12th; Messrs. Harris, Cottle and Barlow the 13th; Messrs. Harris, Cottle and Newell the 14th; Messrs. Vaughan, Barbee and Dohoney the 16th; and Messrs. Bassett, Barlow and Wilson the 19th.

Mr. J. W. Davis moved the following resolutions, viz:

Resolved, That a committee of five members from the House of Representatives, be appointed to enquire into the causes which prevented suit from being brought on Harrison Blanton's bond, as agent of the Old Bank of Kentucky, in time to save the $24,787 75 cents, and interest for several years, amounting to more than $29,000—for which sum judgment has been obtained in the General Court, and is wholly lost to the State by reasons of such delay.

Resolved, That said committee also enquire of the Auditor, whether James R. Skiles, late Commissioner on the Green river improvements, has yet settled the balance of the $12,000 for which he was declared a defaulter in 1842; whether S. Stout, another Commissioner on said river improvements, has settled the $2,755 40, declared to be standing against him by the Board of Internal Improvement in 1845; and whether the $8,952 79, reported by the present President of that Board to be due and withheld by Dillis Dyer, another Commissioner on that river, is well secured, and likely to be paid.

Resolved, That the same committee be required to enquire into the state of the account between the Clerk of the Board of Internal Improvement and the State, and ask for an exhibit of his vouchers for all expenditures made by him: and report whether the Board cannot, with safety to the interests of the State, be dispensed with, and the public works placed in the hands of a practical Engineer as agent for the State.

Resolved, That said committee examine the settlement of the Commissioners appointed by Governor Owsley, with the late Treasurer, James Davidson, now on file in the Auditor's office, and report whether, in their opinion, said settlement is correct and should be final; enquire into the reasons, if any are known, why the late Treasurer's official bond was not executed during the last eight years; and whether further legislation is required to secure indemdity to the State, as far as possible, for the reported defalcation.

Resolved, That said committee enquire whether a final settlement has ever been made with Thomas S. Theobald, late Keeper of the Penitentiary; and if so, what is the result of that settlement; and that said committee have power to send for persons and papers as evidence in the progress of their enquiries, and report the result to this House.

Resolved, That the Auditor of Public Accounts report the condition of the accounts of the several agents of the Bank of the Commonwealth, and the situation of the running assets, if any, in the aggregate due from that institution.

Resolved, That the President of the Board of Internal Improvement report the aggregate amount, under separate heads, of expenditures for contingent expenses of every kind, on Green, Barren, Kentucky and Licking river improvements; what amount has been paid to all and each of the contractors on said rivers for damages; and what those damages were; and the amount paid for losses on the sale of State Bonds by any of the contractors on those rivers, and to whom paid.

Mr. Johnson moved the following as a substitute for said resolutions:

1. *Resolved*, That a committee of three members of this House be appointed, with power to send for persons and papers, to investigate, and report to this House, what officers of this Government have acted culpably in failing to take bond from the late Treasurer of this Commonwealth.

2. *Resolved*, That said committee enquire who are the persons whose names have been sent to the Senate as the securities of the late Treasurer, James Davidson; and whether said persons, whose names were so given as security, are now, or have been officers of the State of Kentucky, and whether said persons did or did not know that their names were presented as securities.

3. *Resolved*, That said committee enquire what part, or if any thing, could be made by suit against the late Treasurer.

4. *Resolved*, That said commtttee enquire into, and report such proposed amendments as they may deem proper, for the better security of the people's money in future.

Mr. Towles moved to refer said resolutions and substitute to the committee on Ways and Means.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Johnson and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Reiley,
Messrs. Barbee,	Hardin,	Reynolds,
Barnes,	Harreld,	Rodman,
Beaty,	Hite,	Smith,
Best,	Hughes,	Stuart, J.
Bickley,	Jones,	Swan,
Blair,	Lewis, R. G.	Towles,
Boarman,	McLarning,	Turner,
Collins,	Menzies,	Vickers,
Crenshaw,	Miller,	Whitsett,
Davis, J.	Morris,	Woods,
Eubank,	Napier,	Word—37.
Gordon,		

Those who voted in the negative, were—

Messrs. Anderson,	Garland,	McFarland,
Barlow,	Garred,	Newell,
Bassett,	Harrison,	Noe,
Bibb,	Harris,	Records,
Bledsoe,	Hayden,	Rhea,
Butler,	Headley,	Shawhan,
Conklin,	Huston,	Sherwood,
Cottle,	Jackson,	Speed,
Daviess, W.	Johnson,	Stevens, J.
Davis, J. W.	Leonard,	Stevens, S.
Dodds,	Lewis, D. P.	Terrill,
Dohoney,	Logan,	Thompson,
Duvall,	Lucas,	Vaughan,
Eversole,	Mason,	Wallace,
Ford,	McConnell,	Wilson—46.

Mr. Towles moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the amendment proposed by Mr. Johnson, as a substitute for said resolutions, be adopted?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Towles, were as follows viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Napier,
Messrs. Barbee,	Hardin,	Noe,
Barnes,	Harreld,	Records,
Bassett,	Harrison,	Reiley,
Beaty,	Hayden,	Reynolds
Best,	Hite,	Rodman,
Bibb,	Hughes,	Smith,
Bickley,	Huston,	Speed,
Blair,	Johnson,	Stevens, J.
Bledsoe,	Jones,	Stuart, J.
Boarman,	Lewis, D. P.	Swan,
Collins,	Lewis, R. G.	Towles,
Cottle,	McFarland,	Turner,
Crenshaw,	McLarning,	Vertress,
Daviess, W.	Menzies,	Whitsett,
Eubank,	Miller,	Woods,
Ford,	Morris,	Word—52.
Gordon,		

Those who voted in the negative, were—

Messrs. Anderson,	Garland,	Rhea,
Barlow,	Garred,	Shawhan,
Butler,	Harris,	Sherwood,
Conklin,	Headley,	Stevens, S.

Davis, J. W.	Jackson,	Thompson,
Davis, J.	Leonard,	Vaughan,
Dodds,	Lucas,	Vickers,
Dohoney,	Mason,	Wallace,
Duvall,	McConnell,	Wilson—29.
Eversole,	Newell,	

The question was then taken on the adoption of the resolutions, as amended, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newell and Garland, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garland,	Morris,
Messrs. Anderson,	Garred,	Napier,
Barbee,	Gordon,	Newell,
Barlow,	Grundy,	Noe,
Barnes,	Hardin,	Records,
Bassett,	Harreld,	Reiley,
Beaty,	Harrison,	Reynolds,
Best,	Harris,	Rhea,
Bibb,	Hayden,	Rodman,
Bickley,	Headley,	Shawhan,
Blair,	Hite,	Sherwood,
Bledsoe,	Hughes,	Smith,
Boarman,	Huston,	Stevens, J.
Butler,	Jackson,	Stevens, S.
Collins,	Johnson,	Stuart, J.
Conklin,	Jones,	Swan,
Cottle,	Leonard,	Terrill,
Crenshaw,	Lewis, D. P.	Thompson,
Daviess, W.	Lewis, R. G.	Towles,
Davis, J. W.	Logan,	Turner,
Davis, J.	Lucas,	Vaughan,
Dodds,	Mason,	Vickers,
Dohoney,	McConnell,	Wallace,
Duvall,	McFarland,	Whitsett,
Eubank,	McLarning,	Wilson,
Eversole,	Menzies,	Woods,
Ford,	Miller,	Word—81.

In the negative—Mr. Vertress.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Crenshaw—1. A bill for the benefit of Ralph F. Wood, of Barren county.

By Mr. Mason—2. A bill to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

By Mr. Murphy—3. A bill divorcing Benjamin R. Gaines and wife, and for other purposes.

By Mr. McClarty—4. A bill for the benefit of Christopher D. Weymouth.

By Mr. Butler—5. A bill to extend the corporate limits of the town of Ghent.

By Mr. McLarning—6. A bill for the benefit of the widow and heirs of Henry Durrett, deceased.

By Mr. Barnes—7. A bill to legalize the proceedings of a special term of the Estill County Court.

By same—8. A bill for the benefit of the mechanics of Estill and Owsley.

By Mr. Blair—9. A bill for the benefit of Rebecca Royse, of Fleming county.

By Mr. Towles—10. A bill to incorporate the Odd Fellows Hall Association, in Henderson.

By Mr. Miller—11. A bill to authorize the appointment of a Police Judge in the town of Portland.

By Mr. Menzies—12. A bill to change the place of holding chancery and criminal terms of the Kenton Circuit Court.

By Mr. Word—13. A bill for the benefit of S. Radford and others.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th and 11th were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Ways and Means; the 12th to the committee on the Judiciary; and the 13th to the committee on Claims.

The rule of the House, constitutional provision and third reading of 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th and 11th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of the Sheriffs of Grant and Owen counties, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding after the word "Grant," the word "Cumberland."

Mr. Thompson asked leave to withdraw the petition of F. G. Everett, and it was granted, and the same was withdrawn.

Mr. Towles read and laid on the table the following preamble and resolutions, to-wit:

WHEREAS, grave and serious apprehensions are entertained by many of the good citizens of this Commonwealth, that the question of slave emancipation of Kentucky, during the canvass for members of the Convention to alter, amend or re-adopt the present Constitution of this Commonwealth, will be so agitated as to cause great excitement and consequent danger to the peace, good order, and true interests of this Commonwealth. Therefore,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That they greatly deprecate any agitation of this exciting subject.

2. That all and every scheme, or plan of emancipation of the slaves of Kentucky, whether immediate or gradual, present or prospective, is impracticable and unwise, unjust alike to the master or the slave, and fraught with michief to the true interests of this Commonwealth.

3. That in the opinion of this General Assembly, the Convention, in framing the new Constitution of Kentucky, should throw around the institution of slavery the same guaranties by which it is secured under the present Constitution.

4. *Resolved*, That in the opinion of this General Assembly, the owners of slaves ought, either by constitutional provision or legal enactment, to be restricted from manumitting any slave or slaves to remain within the limits of this Commonwealth, and providing the means of removing such slave or slaves, so manumitted, beyond the limits of this Commonwealth.

5. *Resolved*, That in the opinion of this General Assembly, the rights of the slaveholders of this Commonwealth ought to be so guarded and protected in the new Constitution, that their slaves could never be emancipated by legislative authority without their consent, except by a Convention to alter the Constitution so as to effect that end.

On motion of Mr. Menzies,

Ordered, That the committee of the Whole be discharged from the further consideration of the bill to establish the Covington Bank of Kentucky.

Ordered, That said bill be referred to Messrs. Menzies, Murphy and Hughes.

And then the House adjourned.

MONDAY, FEBRUARY 5, 1849.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act for the benefit of certain School Districts in this State.

That they had passed bills from this House of the following titles, viz:

An act to change the August Chancery Term of the Christian Circuit Court.

An act for the benefit of John Goodin.

An act for the benefit of the Bath Seminary.

That they had passed bills of the following titles, viz:

An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

An act to regulate the toll gates in Anderson county.

An act concerning the road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

An act for the benefit of Alonzo Livimore and Jacob Yost.

An act for the benefit of the estate of J. T. Thomasson, deceased.

An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved Feb. 25, 1848.

An act to establish a just principle in the rates of toll on Turnpike Roads.

An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.

An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.

An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.

An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act to extend the powers of the Trustees of the town of South Frankfort.

An act to change the name of Taylorsville, in Boone county.

And had adopted a resolution inviting the officers and soldiers of the last war with Great Britain, the Indian wars, and the war of the Revolution, to meet General Taylor on his visit to the Capital.

Ordered, That Messrs. Butler aud Menzies have leave of absence for two days.

Mr. Gordon moved the following resolution, viz:

Resolved, That henceforth the members of this House do less speaking and more legislation.

On motion of Mr. Hardin,

Ordered, That said resolution be laid on the table.

A message was received from the Senate, by Mr. Wall, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled, an act for the benefit of George W. Finnie, which was granted, and the same was withdrawn.

Mr. Pope moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to enquire into the expediency of amending and defining the law imposing a tax on pleasure carriages, so as to exempt hacks therefrom; and that they report by bill or otherwise.

Which was adopted.

Mr. J. Stuart moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of instituting an action, in the name of the Commonwealth, against such officers of the State as should have exacted bond, with security, of the late Treasurer, for a non-performance of that duty; and that they report to this House.

Which was adopted

On motion of Mr. Holladay,

Resolved, That this House hereafter meet at half past nine o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Garland—1. A bill fixing ten hours as a legal days work in all incorporated towns and cities.

On motion of same—2. A bill to grant the privilege of building a mill dam across the Kinnicanick, to certain persons.

On motion of Mr. Napier—3. A bill for the benefit of Jordan Middleton, and for other purposes.

On motion of Mr. Gordon—4. A bill for the benefit of the Livingston Circuit and County Courts.

On motion of Mr. Morris—5. A bill to amend the law in respect to fees allowed Justices of the Peace.

On motion of same—6. A bill to incorporate the several Masonic Institutions of the city of Louisville.

On motion of same—7. A bill to change the mode of advertising forfeited lands for sale.

On motion of Mr. Turner—8. A bill chartering certain Turnpike Road Companies in Madison county.

On motion of Mr. Bickley—9. A bill to incorporate the Grand Lodge of the Oriential Order of Evanics, of One Thousand and One.

On motion of Mr. Barlow—10. A bill to incorporate the Mill Creek Christian Church, in Monroe county.

On motion of Mr. M. Stewart—11. A bill for the benefit of William G. Jackson, of Estill county, and David Tater, of Montgomery county.

On motion of Mr. Hardin—12. A bill to increase the revenue.

On motion of Mr. Ford—13. A bill for the benefit of the heirs of Jas. Gatewood and John Patison, deceased.

On motion of same—14. A bill for the benefit of the town of Hawesville, in Hancock county.

On motion of Mr. Collins—15. A bill for the benefit of Jas. Penney.

On motion of Mr. Duvall—16. A bill to incorporate the Georgetown and South Elkhorn Turnpike Road Company, and for other purposes.

On motion of Mr. Jones—17. A bill for the benefit of the Mechanics of the county of Garrard.

On motion of Mr. Huston—18. A bill in relation to the Trustees of the town of Burlington, and for other purposes.

On motion of Mr. Barbee—19. A bill for the benefit of John Ireland and the Sheriff of Hart county.

On motion of Mr. Hughes—20. A bill for the benefit of Benjamin P. Cissell, and others.

On motion of Mr. S. Stevens—21. A bill for the benefit of Isham Jones, of Whitley county.

Ordered, That the committee on Propositions and Grievances prepare and bring in the 1st; Messrs. Garland, J. W. Davis and Butler the 2d; Messrs. Napier, Best and Beaty the 3d; Messrs. Gordon, Bassett and Hughes the 4th; the committee on the Judiciary the 5th, 6th, 7th and 13th; the committee on Internal Improvement the 8th; the committee on Religion the 9th and 10th; Messrs. M. Stewart, Barnes and Smith the 11th; the committee on Ways and Means the 12th; Messrs. Ford, Conklin, Harreld and Barnes the 14th; Messrs. Collins, Napier and Anderson the 15th; Messrs. Duvall, Bassett and Wilson the 16th; Messrs. Jones, Dunlap and Barnes the 17th; Messrs. Huston, Murphy and Jefferson the 18th; Messrs. Barbee, Thompson and Crenshaw the 19th; Messrs. Hughes, Underwood and Towles the 20th; and Messrs. S. Stevens, Underwood and Beaty the 21st.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Rodman—1. A bill allowing an additional Constable to Larue county.

By Mr. Pope—2. A bill to establish the Louisville Commercial College.

By Mr. Bickley—3. A bill authorizing the confinement of offenders against the ordinances of the city of Maysville, in the county jail and jail yard of said city.

By same—4. A bill authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

By Mr. J. Stuart—5. A bill to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

By Mr. W. Daviess—6. A bill to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

By Mr. Barlow—7. A bill to extend the limits of the town of Mount Washington.

By Mr. Wilson—8. A bill to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church South, in Floydsburg, in Oldham county.

By same—9. A bill to reduce into one the several acts concerning the town of Lagrange.

By Mr. Woods—10. A bill to change an election precinct in the county of Pulaski.

By Mr. Collins—11. A bill to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

By Mr. Jones—12. A bill for the benefit of the First Presbyterian Church in Shelbyville.

By same—13. A bill to allow an additional Constable to Shelby county.

By Mr. Logan—14. A bill to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

By Mr. Barbee—15. A bill to allow an additional Constable to Green county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Records moved the following resolution, viz:

Whereas, It appears by a response of the President of the Board of Internal Improvement, to a resolution of this House, dated 15th January, 1849, calling upon him to furnish information in relation to appropriations and expenditures on Licking river, that $113,654 34 has been expended in surveying, cleaning banks, superintendence, &c.: and whereas, that amount seems enormous for expenditures on that river, for these purposes. Therefore,

Resolved, That the President of the Board of Internal Improvement be requested to report to this House the particular sums of money expended on Licking river, for surveying, clearing banks and superintendence, on the same, in distinct items, and the nature of the evidence upon which they are founded.

Which was adopted.

Mr. Records read and laid on the table the following preamble and resolutions, viz:

Whereas, Much excitement exists on the subject of emancipation, with the probability of its increasing until the Delegates are elected to represent the people in the Convention to amend the Constitution of this State;

and, whereas, it is the duty of the people to speak out on this subject in every possible manner. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That slavery is not forbidden by divine revelation, and the usage of nations, from time immorial, but, on the contrary, has directly and unequivocally received their sanction.

Resolved, That the institution of slavery has never been abolished in any of the States of this Union, until, by the operation of physical causes and laws, it had become unprofitable and almost nominal.

Resolved, That the emancipation of slavery cannot take place in any State in this Union, in which it exists, according to the fundamental principles of our government, until property in slaves has become comparatively valueless, by the operation of physical causes, without directly violating the inalienable rights of the slaveholder, unless a full compensation is paid for the slaves emancipated.

Resolved, That the value of property in slaves in this State has not yet become depreciated by the operation of physical causes.

Resolved, That the institution of slavery should not be interfered with, in any manner whatever, by municipal regulation, either in framing or amending the organic law, or legislating under such law, until, by the operation of the causes referred to in the foregoing resolutions, it can be interfered with, and means provided for its gradual destruction, without inflicting injury on the slaveholder.

Mr. Hughes, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of John G. Chiles, of Lexington, which was read the first time as follows, to-wit:

WHEREAS, It is represented to the present General Assembly, that John G. Chiles, owner and proprietor of the Phœnix Hotel, in the city of Lexington, is anxious to erect a Billiard Table at his said Hotel, for the amusement of his guests, and not for the purpose of gaming. Therefore,

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so soon as the said John C. Chiles shall pay to the Clerk of the Fayette County Court the sum of two hundred and fifty dollars, and make oath, before said Clerk, that he will not permit any money, property, or other thing of value, to be bet on any game played on said Table, it shall be the duty of said Clerk to issue a license to said Chiles to erect and keep a Billiard Table at his said Hotel, for the term of one year, which license shall be renewed annually, by said Clerk, upon the said Chiles taking said oath and paying to said Clerk, in advance, the annual sum of two hundred and fifty dollars.

SEC. 2. *Be it further enacted*, That it shall be the duty of said Chiles to require any agent he may appoint to attend to said Table, to take an oath that he will not permit any money, property, or other thing of value, to be bet on any game played on said table: *Provided*, That said Chiles shall be liable to all the pains and penalties denounced against the offence of erecting and keeping a Billiard Table, if he permit any money, property, or other thing of value, to be bet on any game played on said Table.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Holladay moved to amend said bill by adding the following section, viz:

That the provisions of this act are hereby fully extended to T. & L. P. Holladay, proprietors of the Blue Licks, in Nicholas county.

Mr. Barbee moved to amend the amendment by adding the following, viz:

That the several provisions of this act be extended to all licensed tavern keepers in this State.

Mr. Whitsett moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Headley and McLarning, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barbee,	Eubank,	Napier,
Barlow,	Eversole,	Newell,
Barnes,	Ford,	Noe,
Bassett,	Garland,	Records,
Best,	Hayden,	Reiley,
Bibb,	Headley,	Rodman,
Bickley,	Hite,	Sherwood,
Blair,	Huston,	Smith,
Boarman,	Jackson,	Stevens, J.
Cargill,	Johnson,	Stevens, S.
Collins,	Jones,	Stuart, J.
Conklin,	Logan,	Thomas,
Crenshaw,	Lucas,	Underwood,
Daviess, W.	McConnell,	Vaughan,
Davis, J.	McFarland,	Vickers,
Dodds,	McLarning,	Whitsett,
Dohoney,	Miller,	Wilson,
Dunlap,	Morris,	Woods—55.
Duvall,		

Those who voted in the negative, were—

Mr. Speaker,	Holladay,	Rhea,
Messrs. Anderson,	Holton,	Robertson,
Beaty,	Hughes,	Shawhan,
Cottle,	Jefferson,	Spurr,
Ewing,	Leonard,	Stewart, M.
Garred,	Lewis, D. P.	Swan,
Gordon,	Lewis, R. G.	Terrill,
Grundy,	Mason,	Thompson,
Hardin,	Murphy,	Vertress,
Harreld,	Pope,	Word—31.
Harrison,		

On motion of Mr. Hughes,

Resolved, That the use of this Hall be tendered to the friends of constitutional reform, this evening at 4 o'clock.

Mr. Hughes moved the following resolution, viz:

Resolved, That we, the Representatives of the people, are opposed to incorporating a clause in the new Constitution, changing or disturbing the relations between master and slave; and that we look upon the agitation of emancipation as unwise, and dangerous to the peace and prosperity of the people of this State.

Mr. J. Stuart moved to amend said resolution by adding the following, to-wit:

Or any clause therein which might invest any Legislature that may convene, after the adoption of the new Constitution, with power to pass any laws for a general system of emancipation.

Mr. Robertson moved to amend the amendment by the following, as a substitute for the resolution and amendment:

Resolved, 1st. That the members of this House do not consider domestic slavery a blessing. 2d. That they not desire the perpetuation of domestic slavery in Kentucky. 3d. That they deem it wise to acquiesce in the destiny of slavery in this State, as influenced in its ultimate results, by the operation of natural and intrinsic causes only. 4th. That in the existing condition of slavery in this State, no practicable scheme of compulsive emancipation would be either just, wise, or philanthropic.

Mr. Barlow moved to lay said resolution and amendments on the table.

The question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barlow and Robertson, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Anderson,	Harreld,	Reynolds,
Barbee,	Harrison,	Rhea,
Barlow,	Hayden,	Rodman,
Barnes,	Holton,	Sherwood,
Bassett,	Huston,	Speed,
Beaty,	Jackson,	Stevens, J.
Best,	Lewis, D. P.	Stevens, S.
Bibb,	Logan,	Stewart, M.
Bickley,	Mason,	Stuart, J.
Boarman,	McConnell,	Swan,
Crenshaw,	McFarland,	Terrill,
Daviess, W.	Miller,	Thomas,
Davis, J.	Morris,	Thompson,
Dohoney,	Murphy,	Turner,
Duvall,	Napier,	Vertress,
Eubank,	Noe,	Vickers,
Eversole,	Pope,	Whitsett,
Ford,	Records,	Woods,
Garred,	Reiley,	Word—58.
Grundy,		

Those who voted in the negative, were—

Mr. Speaker,	Harris,	McClarty,
Messrs. Blair,	Headley,	McLarning,
Bledsoe,	Hite,	Newell,
Cargill,	Holladay,	Robertson,
Conklin,	Hughes,	Shawhan,
Cottle,	Jefferson,	Smith,
Dodds,	Johnson,	Spurr,
Dunlap,	Jones,	Towles,
Ewing,	Leonard,	Underwood,
Garland,	Lewis, R. G.	Vaughan,
Gordon,	Lucas,	Wallace,
Hardin,	Magruder,	Wilson—36.

Mr. Beaty read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the delegates to the Convention for amending the Constitution, be and they are hereby requested to use their best efforts to have the Common School System adopted, in some manner, as a part of the amendments of the new Constitution; and so to secure the Common School Fund, as to prevent its abstraction for any other purpose whatever.

1. Mr. Grundy presented the petition of the heirs of Andrew Young, deceased, praying that authority be given to the Washington County Court to divide the lands of said decedent.

2. Mr. Beaty presented the petition of sundry citizens of Wayne county, praying for a Geological Survey of the State.

3. Mr. Cargill presented the petition of E. S. Steel, praying that permission be granted him to import a slave.

4. Mr. Barlow presented the petition of Benjamin Burks, and sundry citizens of Monroe county, praying that said Burks may be permitted to vend liquors without license.

5. Mr. Hughes presented the petition of C. M. Buckman, praying that compensation be allowed him for apprehending a felon.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary; the 2d to the committee on Agriculture and Manufactures; the 3d and 4th to the committee on Propositions and Grievances, and the 5th to the committee on Claims.

And then the House adjourned.

TUESDAY, FEBRUARY 6, 1849.

A message wes received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act for the benefit of the Sheriffs of Grant and Owen counties.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Jesse F. Atchison, and others.

An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.

An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.

An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.

That they had passed bills of the following titles, viz:

An act to incorporate the Elizaville and Helena Turnpike Road Company.

An act to incorporate the Newtown and Leesburg Turnpike Road Company.

1. Mr. Towles presented the petition of sundry citizens of Henderson county, praying an amendment to the laws in relation to marriages.

2. Mr. Grundy presented the petition of John Rutherford, praying the passage of a law authorizing him, as guardian of the infant children of Susanah Rose, to sell certain real estate belonging to his wards.

3. Mr. Boarman presented the petition of sundry citizens of Larue, Marion, Taylor and Nelson counties, praying an appropriation to remove obstructions to the downward navigation of the Rolling Fork.

4. Mr. Harrison presented the petition of John C. Latham, praying the incorporation of the Hopkinsville Fire, Marine and Life Insurance Company.

5. Mr. Gordon presented the petition of Thomas K. Dixon, praying a division of the Regiment mustering in Livingston county.

6. Mr. Wilson presented the petition of sundry citizens of Jefferson and Oldham counties, praying the passage of a law to prevent the destruction of fish in Harrod's Creek.

7. Mr. Hite presented the petition of sundry citizens of Nelson county, praying the repeal of the charter of Augusta College.

8. Mr. Boarman presented the petition of Joseph Edmonson, praying that permission be given him to erect gates across the Liberty State road, in Marion county.

9. Mr. D. P. Lewis presented the petition of sundry citizens of Bourbon, Clarke and Montgomery, praying the establishment of a new county out of parts of said counties.

10. Mr. Newell presented the petition of Mathew Horn, praying a divorce from his wife, Mary Horn.

11. Mr. Speed presented the petition of S. N. Kalfus and others, praying the passage of a law authorizing Elizabeth Friar to sell certain real estate of her deceased husband.

12. Mr. Holton presented the petition of John Y. Mills, administrator of Charles Mills, deceased, praying the passage of a law for the payment of interest due by the Lexington and Ohio Railroad Company.

13. Mr. Jackson presented the petition of Jonas Brown, praying permission to retail liquor without license.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Agriculture and Manufactures; the 2d to Messrs. Grundy, W. Daviess and Sherwood: the 3d and 8th to the committee on Internal Improvement; the 4th, 7th and 11th to the committee on the Judiciary; the 5th to the committee on Military Affairs; the 6th to Messrs. Wilson, Speed and Bassett; the 9th to the committee on Propositions and Grievances; the 10th to the committee on Religion; the 12th to the committee on Claims; and the 13th to the committee on Ways and Means.

The Speaker laid before the House the annual report of the Institute for the Education of the Blind, which is as follows, viz:

[*For Report—see Legislative Documents.*]

Ordered, That the Public Printer forthwith print 1,000 copies of said report for the use of the members of this House.

The Speaker appointed Messrs. J. W. Davis, Conklin and J. Stuart the committee, in pursuance of the resolution proposed on Saturday last, by Mr. J. W. Davis.

Mr. Records, from the committee on Enrollments, reported that the committee had examined an enrolled bill from the Senate, entitled, an act for the benefit of the Sheriffs of Grant, Cumberland and Owen counties, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Underwood, from the committee on Education, reported a bill to incorporate the Covington Commercial College,

Which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. S. Stevens, from the committee on Military Affairs, reported a bill to amend the militia law, which was read the first time as follows:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter there shall be but one muster in each and every year, in the bounds of each regiment, the same to be held in the month of June, in each year, on such days in said month, and at such places as the respective Brigadier Generals may designate; but in case a Brigadier General shall fail to order said muster, by the fifteenth of May, in each year, it shall be the duty of the Commandant of regiments to order said musters, and notify the Brigadiers of the times and places of said musters; the said musters to be styled regimental musters, and shall be governed by the rules and regulations now required by law: *Provided*, That nothing herein contained shall be so construed as to prevent volunteer or independent companies from parading and training at such other times and places as they may deem necessary.

SEC. 2. *Be it further enacted*, That all laws requiring more than one muster in each year, by any person bound to do military duty, are hereby repealed: *Provided, however*, That it shall be the duty of all officers to make therein annual returns by the time now required by law, and in the same manner; and for a failure so to do, shall be liable to the fines as now required by law.

SEC. 3. *Be it further enacted*, That it shall be the duty of each and every Captain or Commandant of companies, in this Commonwealth, to give, or cause to be given, four public notices, at four different places, within the bounds of his companies, which shall be done in the month of May, in each year, and as near the centre of each Sergeant's district as may be; which notice shall be good and valid, and all persons failing to appear and perform military duty, shall be liable to the same fines as now required by law.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newell and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gordon,	Noe,
Messrs. Alexander,	Hardin,	Pope,
Anderson,	Harreld,	Records,
Barlow,	Harrison,	Reiley,
Barnes,	Harris,	Reynolds,
Bassett,	Hayden,	Rhea,
Beaty,	Headley,	Robertson,
Best,	Hite,	Rodman,
Bibb,	Holladay,	Sherwood,
Bickley,	Holton,	Smith,
Blair,	Huston,	Speed,
Bledsoe,	Jackson,	Spurr,
Boarman,	Jefferson,	Stevens, J.

Butler,	Johnson,	Stewart, M.
Cargill,	Leonard,	Stuart, J.
Collins,	Lewis, D. P.	Swan,
Crenshaw,	Lewis, R. G.	Terrill,
Daviess, W.	Logan,	Towles,
Davis, J. W.	Magruder,	Turner,
Davis, J.	Mason,	Underwood,
Dohoney,	McClarty,	Vaughan,
Dunlap,	McFarland,	Vertress,
Duvall,	McLarning,	Vickers,
Eubank,	Menzies,	Wallace,
Eversole,	Miller,	Whitsett,
Ewing,	Morris,	Wilson,
Ford,	Murphy,	Woods,
Garland,	Napier,	Word—85.
Garred,		

Those who voted in the negative, were—

Messrs. Barbee,	Grundy,	Shawhan,
Conklin,	Lucas.	Thomas,
Cottle,	McConnell,	Thompson—11.
Dodds,	Newell,	

Resolved, That the title thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

1. An act providing for the distribution of the undistributed copies of the militia laws of this State, and the exercise and instruction of field artillery and abstract of infantry tactics.

2. An act to divorce Edward S. Bowman and Hickerson Smith.

3. An act to divorce Hannah Plank, of Nicholas county.

4. An act to run and mark the line between the counties of Crittenden and Caldwell.

5. An act for the benefit of the town of Greenville, in Muhlenburg county.

6. An act for the benefit of the administrator and heirs of Jas. G. Hazelrigg, deceased.

7. An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

8. An act to amend the charter of the Kentucky Insurance Company.

9. An act for the benefit of Garvin Morrison, Constable of Harrison county.

10. An act for the benefit of Washington Kennedy's children.

11. An act for the benefit of Thomas Shea.

12. An act for the benefit of James Byles.

13. An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

14. An act to amend proceedings before Justices of the Peace.

15. An act respecting conveyances by married women.

16. An act to amend the charter of the Louisville and Frankfort Railroad Company.

17. An act for the benefit of Margaret Wilson and others.

18. An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

19. An act to amend the charter of the Campbell Turnpike Road Company.

20. An act for the benefit of Nancy Strother and Margaret B. Carpenter.

21. An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

22. An act to provide for the sale of a certain house of public worship in Hardin county.

23. An act to incorporate the Green and Larue county Turnpike Road Company.

24. An act for the benefit of the Owingsville and Big Sandy Turnpike Road.

25. An act legalizing the organization and first election of the officers by the Dry Creek and Covington Turnpike Road Company.

26. An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

27. An act for the benefit of Thomas Rankin, Jailer of Harrison county.

28. An act for the benefit of Erwin Anderson, of Graves county.

29. An act for the benefit of the devisees of Rolla Blue.

30. An act to amend the laws relating to the town of Frankfort.

31. An act declaring the Hopkins Delta a public authorized newspaper.

32. An act for the benefit of James Finley, of Floyd county.

33. An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

34. An act to divorce Mary Catharine Duncan and Owen C. Turner.

35. An act for the benefit of William and Sarah Campton.

36. An act to incorporate the town of Owenton, in Owen county.

37. An act for the benefit of John J. Anderson.

38. An act allowing the Judge of the 16th Judicial District further time to move into his District.

39. An act for the benefit of Sarah S. Fowler.

40. An act to extend the corporate limits of Newport.

41. An act for the benefit of Radford J. Maxey, of Monroe county.

42. An act for the benefit of the heirs of Roley Mardis, deceased.

43. An act for the benefit of Warrenton S. Bland.

44. An act for the benefit of James Haun, guardian of John James Haun.

45. An act to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

46. An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.

47. An act to amend an act, entitled, an act to incorporote the town of Greensburg.

48. An act for the benefit of Lodge No. 138, of Ancient York Masons.

49. An act authorizing the sale of certain alleys in Winchester.

50. An act allowing additional election precincts in Rockcastle and Knox counties.

51. An act to change the place of voting at an election precinct in Hardin county.

52. An act to divorce Annie E. Fairbairn.

53. An act to divorce John Richmond.

54. An act to divorce Brazilla Peyton and William Rankin.

55. An act to divorce Robert Langford.

56. An act in relation to the Madison and Wilderness Turnpike Road.

57. An act to amend the charter of the Lexington and Frankfort Railroad Company.

58. An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

59. An act to regulate the toll gates in Anderson county.

60. An act concerning the road from Birch Lick Creek, in Madison county, to Brashear's Salt Works, in Perry county.

61. An act for the benefit of Alonzo Livimore and Jacob Yost.

62. An act for the benefit of the estate of J. T. Thomasson, deceased.

63. An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved February 25, 1848.

64. An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

65. An act to establish a just principle in the rates of toll on Turnpike Roads.

66. An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.

67. An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.

68. An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.

69. An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.

70. An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

71. An act to extend the powers of the Trustees of the town of South Frankfort.

72. An act to change the name of Taylorsville, in Boone county.

73. An act to incorporate the Newtown and Leesburg Turnpike Road Company.

74. An act to incorporate the Elizaville and Helena Turnpike Road Company.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on Military Affairs; the 2d, 3d, 17th, 24th, 52d, 53d, 54th and 55th to the committee on Religion; the 4th, 5th, 42d, 63d, 66th, 67th, 68th and 72d were severally ordered to be read a third time; the 6th, 7th, 8th, 9th, 10th, 11th, 14th, 15th, 20th, 21st, 22d, 29th, 30th, 31st, 32d, 33d, 35th, 36th, 38th, 39th, 41st, 43d, 44th, 45th, 46th, 47th and 48th were referred to the committee on the Judiclary; the 12th, 13th, 40th, 49th, 70th and 71st to the committee on Propositions and Grievances; the 16th, 18th, 19th, 23d, 24th, 25th, 26th, 37th, 56th, 57th, 58th, 59th, 60th, 64th, 65th, 73d and 74th to the committee on Internal Improvement; the 27th, 28th, 61st and 62d to the committee on Claims; the 50th and 51st to the committee on Privileges and Elections, and the 69th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 4th, 5th, 42d, 63d, 66th, 67th, 68th and 72d bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor and Livingston.

An act for the benefit of Stilwell H. Wakefield.

An act for the benefit of Minerva O'Reily.

An act to divorce Henry R. Bishop.

An act for the benefit of Julia E. Crowdus.

An act to establish election precincts in the counties of Fleming and Campbell, and to change certain election precincts in the counties of Clay and Perry.

An act to incorporate the Henderson Cemetery Company.

An act to incorporate the Maysville Linen Company.

An act to divorce Harriet J. Wheeler.

Were taken up, twice read and concurred in.

Ordered, That the amendments proposed by the Senate, to a bill from this House, entitled, an act to amend an act to incorporate the Millersburg and Cynthiana Turnpike Road Company, be referred to the committee on Internal Improvement.

Ordered, That the amendments proposed by the Senate, to a bill from this House, entitled, an act to divorce John L. Vaughn, be referred to the committee on Religion.

And then the House adjourned.

WEDNESDAY, FEBRUARY 7, 1849.

1. Mr. Terrill presented the petition of sundry Justices of the Peace of Ballard county, praying an amendment to the laws in relation to the appointment of jailers.

2. Also, the petition of Chrisley Coffey, praying a change of venue in the prosecution against him in the Graves Circuit Court, for perjury.

3. Mr. Harreld presented the petition of C. Hobdy, praying a divorce from his wife, Emily Hobdy.

4. Mr. Bledsoe presented the petition of sundry citizens of the town of Albany, praying a repeal of that part of the law in relation to said town, giving the Trustees of said town the right to license taverns, &c.

5. Also, the remonstrance of sundry citizens of the town of Albany, against a repeal of that part of the law in relation to said town, giving the Trustees thereof the right to grant tavern licenses, &c.

6. Mr. Barbee presented the petition of sundry citizens of Taylor county, praying the establishment of an additional election precinct in said county.

7. Mr. J. W. Davis presented the petition of T. W. Williams, praying that an additional Justice of the Peace be allowed to Greenup county.

8. Also, the petition of sundry citizens of the town of Carrolton, praying an amendment to the laws in relation to said town.

9. Mr. Pope presented the petition of the President and Directors of the Merchants Louisville Insurance Company, praying an amendment to their charter.

10. Mr. J. Davis presented the petition of Hiram Hounshell, praying to be divorced from his wife, Polly Hounshell.

11. Mr. D. P. Lewis presented the petition of Richard Hawes, Trustee for Margaret Leavy, John F. Leavy, and said Margaret, his wife,

praying the passage of a law authorizing a sale of certain slaves held in trust for the use of said Margaret.

12. Mr. Miller presented the petition of the Executor of W. N. Miller, deceased, praying the passage of a law authorizing him to sell a slave belonging to said deceased.

13. Mr. Whitsett presented the petition of sundry citizens of Barren county, praying the passage of a law incorporating the Dripping Spring Regular Baptist Church.

14. Mr. McLarning presented the remonstrance of D. S. Hays, against the establishment of the Hopkinsville Bank.

15. Mr. Beaty presented the remonstrance of John Roberts, against the divorce of his wife, Nancy Roberts.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 4th, 5th, 8th and 11th to the committee on the Judiciary; the 3d, 10th and 15th to the committee on Religion; the 6th and 7th to the committee on Privileges and Elections; the 9th to Messrs. Pope, Morris and Alexander; the 12th to Messrs. Miller, Speed and Morris; the 13th to Messrs. Whitsett, Barbee and Johnson, and the 14th to the committee on Banks.

On motion of Mr. Underwood, leave was given to bring in a bill to amend the charter of the Turnpike Road from Bowlinggreen to the Tennessee line.

Ordered, That Messrs. Underwood, Eubank and J. Davis, prepare and bring in the same.

The House then took up the resolution from the Senate to appoint a Committee of Arrangements for the reception of Gen. Zachary Taylor, which was twice read and concurred in.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of R. M. Davis, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, to-wit;

An act to amend an act, entitled, an act for the benefit of the Mechanics of the town of Covington and Newport, approved Feb. 22, 1834.

An act for the relief of John Pitman and John C. Brown.

An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke county.

An act for the benefit of Mary Simpson and others, of Calloway county.

An act for the benefit of George Dunn, jailer of McCracken county.

An act to incorporate a Literary Association in the county of Garrard.

An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act in relation to the city of Covington.

An act for the benefit of the Leesburg Light Artillery Company.

An act for the benefit of the Hustonsville Uniform Infantry Company.

An act for the benefit of School District No. 9, of Russell county.

An act for the benefit of the Somerset Seminary.

An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.

An act for the benefit of Robert J. Terry, of Todd county, and Wm. Hart, of Jefferson county.

An act for the benefit of George Stivers, Sr., of Clay county.

An act for the benefit of the heirs of Edward Haley, deceased.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act for the benefit of William Blackwell and others, of Clarke county.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Military Affairs—A bill for the benefit of the Leesburg Light Artillery.

By the committee on Agriculture and Manufactures—A bill to incorporate the Eagle Manufacturing Company.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. Stevens from the committee on Military Affairs, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the Sheriff of Hopkins county.

An act for the benefit of the former and present Sheriffs of Crittenden county.

An act for the benefit of the Sheriff of Lincoln county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

your committees believe that no difficulty will ever occur in settling the accounts of the Institution with perfect equity to all concerned.

All of which is respectfully submitted,

S. S. ENGLISH, *Ch'm. S. Com.*
THOS. I. YOUNG,
CHARLES HAMBLETON,
O. P. HOGAN,
G. C. THURMAN.

D. H. HARRISON, *Ch'm. H. R. Com.*
W. B. McCONNELL,
W. L. CONKLIN,
W. B. MURPHY,
WALLER CHENAULT,
NELSON HARRELD,
SQUIRE LUCAS.

Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of the General Assembly.

Mr. Speed, from the committee on Agriculture and Manufactures, to whom was referred a bill from the Senate, entitled, an act for the benefit of the Bourbon County Agricultural Society, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Speed, from the same committee, read and laid on the table the following resolutions, viz:

Whereas, Bouer and Klyng, Lithographic Engravers, of the city of Louisville, propose publishing a large and comprehensive map of the State of Kentucky, 6 by 5½ feet in dimension, upon which they design to exhibit the various public improvements, rivers, and principal roads, county seats, and such other matters of interest as will render such a work useful; and, whereas, there is not extant any recent map of the Commonwealth, showing the many divisions and sub-divisions which some of the large counties have undergone; and to enable said Bouer and Klyng the sooner to accomplish the work,

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That for the promotion of the arts and sciences in this Commonwealth, and for securing the publication of an accurate map of the same, the public surveyors of the counties be and they are hereby requested to make out, and return to the office of Secretary of State, by the first of June next, outline sketches of their respective counties, on a graduated scale of inches to the mile; designating on said county sketches, the public improvements, public roads, river courses, county seats, &c.: *Provided*, That the said Bouer and Klyng enter into contract to furnish each of said surveyers with one of their said large maps, herein proposed to be published; and, also, to supply the Public offices, including the Executive Depart-

ment, and the Senate and House of Representative chambers, each with one of said maps: *And, provided also*, That the said Bouer and Klyng shall alone be authorized to take copies of said county sketches, for the purpose aforesaid.

2. *Resolved*, That in case any of the county surveyors shall neglect to comply with the preceding resolution, then any deputy surveyor, or other competent person, may make such sketch or outline, and shall be entitled to receive, from the said Bouer and Klyng, the map as aforesaid, of which such deputy surveyor or competent person shall file his claim in the office of the said Secretary of State, at the time he makes return of his outline sketch, &c.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, they were twice read and concurred in.

Mr. Speed, from the same committee, to whom was referred the bill to provide for the Geological and Mineralogical Survey of the State, reported the same with an amendment, which was concurred in.

The question was then put on engrossing and reading said bill a third time,

And after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House again resolved itself into a committee of the whole, on the bill to amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State, Mr. Underwood in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Underwood reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, with an amendment, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the citizens of this Commonwealth are hereby not prohibited from purchasing and bringing into this State, any slave or slaves from any other State in the United States, for his, her or their own use: *Provided*, That the person or persons so purchasing and bringing into this State, any such slave or slaves, shall, within forty days after so purchasing and bringing the same into this State, make oath or affimation before the Clerk of the county in which such slave or slaves are brought, that the said slave or slaves were purchased and brought into this State for his, her or their own private use alone, and that the said slave or slaves were not bought for speculation, to be sold again for profit, or as merchandise; and, also, make out a true and correct list and description of each and all of such slave or slaves, in which he, she or they shall give the name, age, color and sex, of each of such slaves, and make affidavit before the said Clerk that the same contains a true and correct list and description of each of such slaves;

which list and description, together with the affidavit thereof, shall be recorded by the said Clerk, who shall receive, for recording the same, fifty cents for each slave.

SEC. 2. *Be it further enacted*, That if any person or persons, so purchasing and bringing any slaves into this State, as aforesaid, shall sell, within the State, any such slave or slaves, within *eighteen months* after he, she or they shall have so brought the said slave or slaves into this State, or shall make any contract, during the said time, for the sale of such slave or slaves, or shall hire out such slave or slaves for a term of years, or shall use any device whatsoever to evade this act, by sale, hiring, or otherwise, he, she or they, so offending, and for each and every such offence, shall be subject to all the pains and penalties in like manner denounced by the act approved February 2, 1833, prohibiting the importation of slaves into this State.

SEC. 3. *Be it further enacted*, That if any person or persons shall buy any such slave or slaves, knowing them to have been so brought into this State within the term of eighteen months, as aforesaid, he, she or they, for each such slave, shall forfeit and pay the sum of $200, to be recovered in like manner, according to the provisions of the act aforesaid.

SEC. 4. *Be it further enacted*, That any slave or slaves, purchased and brought into this State, as aforesaid, shall not be subject to be sold, by virtue of an execution, within the said term of eighteen months, until all the other property of the defendant in the execution, real and personal, subject to execution, shall have first been sold; and if the defendant in any execution shall suffer any such slave or slaves to be sold, when he has other property subject to execution, he shall be liable and subject to pay the sum of $200, recoverable as aforesaid; or if any Sheriff, or other officer, by virtue of any execution, shall sell any such slave or slaves, knowing them to have been brought into this State, as aforesaid, while the defendant has other property in the county, subject to execution, that might be levied on by reasonable diligence, he shall be liable, and fined, the sum of $200, recoverable in the same manner prescribed by the said act approved February 2, 1833.

SEC. 5. *Be it further enacted*, That if any person or persons shall swear falsely, in taking the oath in this act prescribed, he she or they shall be held to be guilty of perjury, and upon conviction thereof, shall undergo confinement in the Jail and Penitentiary of this Commonwealth for the term of two years.

SEC. 6. *Be it further enacted*, That so much of the said act, approved February 2, 1833, as comes within the purview of this act, be and the same is hereby repealed.

The amendment proposed by the committee of the whole was to strike out in the second section the words "eighteen months" and insert in lieu thereof the words "five years."

At twenty minutes of 2 o'clock, P. M., Mr. Robertson moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Holladay and Boarman, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Davis, J. W.	Murphy,	Speed,
Hardin,	Pope,	Spurr,
Holladay,	Records,	Swan,
Holton,	Robertson,	Towles,
Menzies,	Smith,	Word—15.

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Miller,
Messrs. Anderson,	Garland,	Morris,
Barbee,	Garred,	Napier,
Barlow,	Grundy,	Newell,
Barnes,	Harreld,	Noe,
Bassett,	Harrison,	Reiley,
Beaty,	Harris,	Reynolds,
Best,	Hayden,	Rhea,
Bibb,	Headley,	Rodman,
Bickley,	Hite,	Shawhan,
Blair,	Hughes,	Sherwood,
Bledsoe,	Huston,	Stevens, J.
Boarman,	Jackson,	Stevens, S.
Butler,	Jefferson,	Stewart, M.
Cargill,	Johnson,	Stuart, J.
Chenault,	Jones,	Terrill,
Collins,	Leonard,	Thomas,
Conklin,	Lewis, D. P.	Thompson,
Cottle,	Lewis, R. G.	Turner,
Crenshaw,	Logan,	Underwood,
Daviess, W.	Lucas,	Vaughan,
Davis, J.	Magruder,	Vertress,
Dodds,	Mason,	Vickers,
Dohoney,	McClarty,	Wallace,
Duvall,	McConnell,	Whitsett,
Eubank,	McFarland,	Wilson,
Eversole,	McLarning,	Woods—82.
Ewing,		

The question was then taken on the adoption of the amendment proposed by the committee of the whole, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Hardin, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Records,
Messrs. Barbee,	Hardin,	Reiley,
Barlow,	Harreld,	Reynolds,
Best,	Hayden,	Rhea,
Bickley,	Hite,	Robertson,
Blair,	Holladay,	Rodman,
Butler,	Holton,	Sherwood,

Chenault,	Huston,	Smith,
Collins,	Jackson,	Speed,
Conklin,	Jefferson,	Spurr,
Cottle,	Lewis, D. P.	Stevens, S.
Crenshaw,	Lewis, R. G.	Stewart, M.
Daviess, W.	Logan,	Swan,
Davis, J. W.	Lucas,	Terrill,
Davis, J.	Mason,	Turner,
Dohoney,	McFarland,	Underwood,
Duvall,	Menzies,	Vaughan,
Eversole,	Miller,	Whitsett,
Ewing,	Pope,	Word—58.
Ford,		

Those who voted in the negative, were—

Messrs. Anderson,	Harris,	Newell,
Barnes,	Headley,	Noe,
Beaty,	Hughes,	Shawhan,
Bibb,	Johnson,	Stevens, J.
Bledsoe,	Jones,	Stuart, J.
Boarman,	Leonard,	Thomas,
Cargill,	Magruder,	Thompson,
Dodds,	McClarty,	Towles,
Dunlap,	McConnell,	Vertress,
Eubank,	McLarning,	Vickers,
Garland,	Morris,	Wallace,
Gordon,	Murphy,	Wilson,
Grundy,	Napier,	Woods—40.
Harrison,		

Tke question was then taken on engrossing and reading said bill a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Boarman and Bibb, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	McFarland,
Messrs. Anderson,	Garred,	McLarning,
Barbee,	Gordon,	Napier,
Barlow,	Grundy,	Noe,
Bassett,	Harreld,	Rhea,
Beaty,	Harrison,	Shawhan,
Bibb,	Harris,	Sherwood,
Bledsoe,	Headley,	Stevens, J.
Boarman,	Hughes,	Stevens, S.
Cargill,	Jackson,	Stuart, J.
Chenault,	Jefferson,	Terrill,
Collins,	Johnson,	Thomas,
Cottle,	Jones,	Thompson,
Davis, J. W.	Leonard,	Towles,
Davis, J.	Logan,	Vaughan,
Dodds,	Lucas,	Vertress,

Dohoney,	Magruder,	Vickers,
Duvall,	Mason,	Wallace,
Eubank,	McClarty,	Wilson,
Eversole,	McConnell,	Woods—60.

Those who voted in the negative, were—

Messrs. Barnes,	Hite,	Reiley,
Best,	Holladay,	Reynolds,
Bickley,	Holton,	Robertson,
Blair,	Huston,	Rodman,
Butler,	Lewis, D. P.	Smith,
Conklin,	Lewis, R. G.	Speed,
Crenshaw,	Menzies,	Spurr,
Daviess, W.	Miller,	Stewart, M.
Dunlap,	Morris,	Swan,
Ewing,	Murphy,	Turner,
Garland,	Newell,	Underwood,
Hardin,	Pope,	Whitsett,
Hayden,	Records,	Word—39.

Mr. Anderson moved to dispense with the third reading of said bill and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Barnes, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ford,	McConnell,
Messrs. Anderson,	Garred,	McLarning,
Barbee,	Gordon,	Napier,
Barlow,	Grundy,	Noe,
Bassett,	Harreld,	Shawhan,
Beaty,	Harrison,	Sherwood,
Bibb,	Harris,	Stevens, J.
Bledsoe,	Headley,	Stevens, S.
Boarman,	Hughes,	Stuart, J.
Cargill,	Jackson,	Terrill,
Chenault,	Jefferson,	Thompson,
Collins,	Johnson,	Towles,
Cottle,	Jones,	Vaughan,
Davis, J.	Leonard,	Vertress,
Dodds,	Logan,	Vickers,
Dohoney,	Lucas,	Wallace,
Duvall,	Magruder,	Wilson,
Eubank,	Mason,	Woods—56.
Eversole,	McClarty,	

Those who voted in the negative, were—

Messrs. Barnes,	Hite,	Reiley,
Best,	Holladay,	Reynolds,
Bickley,	Holton,	Rhea,
Blair,	Huston,	Robertson,

Butler,	Lewis, D. P.	Rodman,
Conklin,	Lewis, R. G.	Smith,
Crenshaw,	McFarland,	Speed,
Daviess, W.	Menzies,	Spurr,
Davis, J. W.	Miller,	Stewart, M.
Dunlap,	Morris,	Swan,
Ewing,	Murphy,	Turner,
Garland,	Newell,	Underwood,
Hardin,	Pope,	Whitsett,
Hayden,	Records,	Word—42.

Mr. Anderson moved that said bill be read a third time to-morrow at 10 o'clock, A. M.

Mr. Turner moved to strike out "to-morrow at 10 o'clock, A. M." and insert "Monday the 19th instant."

The question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bibb and Terrill, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barnes,	Hite,	Reynolds,
Best,	Holladay,	Rhea,
Bickley,	Huston,	Robertson,
Blair,	Lewis, D. P.	Rodman,
Butler,	Lewis, R. G.	Smith,
Conklin,	McFarland,	Speed,
Crenshaw,	Menzies,	Spurr,
Daviess, W.	Miller,	Stewart, M.
Dunlap,	Morris,	Swan,
Ewing,	Murphy,	Turner,
Garland,	Pope,	Underwood,
Hardin,	Records,	Whitsett,
Hayden,	Reiley,	Word—39.

Those who voted in the negative, were—

Mr. Speaker,	Garred,	McLarning,
Messrs. Anderson,	Gordan,	Napier,
Barbee,	Grundy,	Newell,
Barlow,	Harreld,	Noe,
Bassett,	Harrison,	Shawhan,
Beaty,	Harris,	Sherwood,
Bibb,	Headley,	Stevens, J.
Bledsoe,	Holton,	Stevens, S.
Boarman,	Hughes,	Stuart, J.
Cargill,	Jackson,	Terrill,
Chenault,	Jefferson,	Thomas,
Collins,	Johnson,	Thompson,
Cottle,	Jones,	Towles,
Davis, J. W.	Leonard,	Vaughan,
Davis, J.	Logan,	Vertress,
Dodds,	Lucas,	Vickers,
Dohoney,	Magruder,	Wallace,

Duvall,	Mason,	Wilson,
Eubank,	McClarty,	Woods—59.
Eversole,	McConnell,	

The question was then taken on the motion of Mr. Anderson, and it was decided in the affirmative.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of R. M. Davis.

An act for the benefit of Roley Mardis, deceased.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

A message was received from the Governor, announcing that he had approved and signed enrolled bills and resolutions, which originated in this House, of the following titles, viz:

An act allowing Carter county an additional Justice of the Peace, and for other purposes.

An act to extend the terms of the Morgan Circuit Court.

An act to amend an act, approved 26th February, 1848, incorporating the town of Monticello.

An act for the benefit of William Giles.

An act to amend an act, entitled, an act for the benefit of William Calmes, approved March 1, 1847.

An act for the benefit of the Trustees of Morganfield.

An act for the benefit of Samuel Dews, of Spencer county.

An act concerning the town of Lancaster.

An act for the benefit of William Blair.

An act authorizing the Bracken County Court to lay the levy at their January, February or March Term.

An act authorising a change of the State road in Lewis county.

An act for the benefit of John Caudle, of Letcher county.

An act to change an election precinct in Pulaski county.

An act to change the place of voting in an election precinct in Butler county.

An act for the benefit of the School Commissioners of Casey county.

An act to amend the law in relation to private passways in Pike county.

An act for the benefit of Elizabeth and Asa Hiatt.

An act allowing an additional Justice of the Peace to Muhlenburg county.

An act granting a change of venue to Wm. P. Hart.

An act to incorporate the Mount Sterling and Red River Railroad Company.

An act for the benefit of the Sheriff of Meade county.

An act to change a part of the State road in Todd county, leading from Hopkinsville to Morgantown.

An act to repeal the law repealing an act giving the county of Green up one road Commissioner.

An act authorizing the Campbell County Court to appoint an additional Justice of the Peace, to grant injunctions, &c.

An act to authorise Larue county to use the jail of Hardin county.

An act to incorporate the Kinnicanick Bridge Company.

An act for the benefit of Julius A. Labarthe.

An act to amend the law for the appointment of Commissioners to take acknowledgments of deeds, &c.

Preamble and resolutions in relation to water rotted hemp.

A resolution requesting the Convention to submit the new Constitution to the people for ratification or rejection.

Approved February 5, 1849.

On motion of Mr. Newell,

Ordered, That he be excused from serving on the committee to visit Louisville to receive Gen. Zachary Taylor.

Ordered, That Mr. Shawhan be appointed on said committee in place of Mr. Newell.

Mr. Dunlap moved a reconsideration of the vote laying on the table the bill for the benefit of John G. Chiles, of Lexington, and the amendments proposed thereto.

And then the House adjourned.

THURSDAY, FEBRUARY 8, 1849.

The Speaker appointed Messrs. Robertson, J. W. Davis, Anderson, Barbee and Towles the committee, on the part of this House, to make arrangements for the reception of General Taylor.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act for the benefit of James Cowan's heirs.

An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend the penal laws in relation to gambling.

An act to incorporate the Covington Gas Light Company.

An act authorizing Coroners to convey lands in certain cases.

An act to amend an act to incorporate the Trustees and Stockholders of the Doane and Gracey Fund.

An act to repeal the law allowing retailers of dry goods and groceries to sell whisky, &c.

An act for the benefit of Elisha Crutchfield, of Graves county.

An act for the benefit of F. T. Taylor, of Hickman county.

An act for the benefit of M. V. Tomlinson, of Hickman county.

An act to divorce Nathan Williams, and others.

An act to incorporate the Owenton and Kentucky River Turnpike Road Company.

An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.

And had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, to-wit:

An act to release the Louisville Savings Institution from certain taxes.

An act to extend the time of surveying and returning Kentucky Land Office Warrants to the Register's Office.

An act for the benefit of Peter Conway, of Fleming county.

An act to amend the law relating to Pedlers.

An act to amend the charter and laws of the town of Newport.

Approved February 5, 1849.

An act for the benefit of the Sheriffs of Grant, Cumberland and Owen counties. Approved February 6, 1849.

A resolution to unite in the funeral obsequies of the late Capt. W. S. Harris.

A resolution providing for the appointment of Reporters to report the proceedings of the Convention.

Approved February 6, 1849.

The speaker laid before the House the response of the President of the Board of Internal Improvement, to a resolution of this House of the 5th instant, in relation to the particular items of expenditure on the Licking river, which is as follows, viz:

OFFICE OF THE BOARD OF INTERNAL IMPROVEMENT,
February 7th, 1849.

In obedience to a resolution of the House of Representatives of the 5th instant, in relation to the particular sums expended on Licking river, I respond, to-wit:

1. There has been expended for clearing banks, surveying, &c., on said river, the following sums: For clearing banks, $3,316 20 cents; superintendence, $2,683 13 cents; freight on lime, &c., $3,805; office rent, $16; loss on boats, stone, &c. sunk, $1,112 43 cents; surveying, &c., $4,106 13 cents; land, $1,747 33 cents; obstructions removed, $5,383 47

cents—in all thus paid by the State, $22,169 69 cents. There was paid for lime mill, fixtures, &c., $19,565 66 cents; for lime brought from Louisville to said river, $7,221 11 cents—in all, for lime used on said river, $26,776 77 cents.

2. There was paid to contractors, towards construction of seven Locks and Dams, $308,812 82 cents; and to same, in the way of damages and re-estimates under act of 1843, for suspension of the work, the additional sum of $14,761 42 cents—in all paid contractors, $323,574 24 cents, and the entire amount expended on said river, as heretofore reported, $372,520 70 cents.

I would remark, that the paper on which the estimate of my response of the 15th ultimo was made, was, by mistake, copied wrong by leaving out one item and inserting another. Therefore, the second part thereof, should read thus: "There has been expended in surveying, clearing "banks, superintendence, construction of Locks, &c., $372,520 70 cents. "But the sum actually expended in the construction of Locks and Dams, "was $308,812 82 cents, and the present estimated value of the works, "$245,104 94 cents."

All of which is respectfully submitted,

O. G. CATES, *P. B. I. I.*

To the Hon. Gwyn Page,
Speaker of the House of Representatives.

Ordered, That the Public Printer forthwith print 150 copies of said response for the use of the members of the General Assembly.

An engrossed bill, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State, was read a third time.

The question was then put, shall the bill pass? and after some discussion had thereon, the hour of 12 o'clock arrived.

The orders of the day being called for, the Speaker decided that they superseded the bill under discussion.

From which decision Mr. Anderson took an appeal.

The question was then put, shall the decision of the Chair stand as the judgment of the House? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blair and Records, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barbee,	Garred,	Pope,
Barlow,	Hardin,	Records,
Barnes,	Hayden,	Reiley,
Beaty,	Hite,	Reynolds,
Best,	Holladay,	Rhea,
Bickley,	Holton,	Robertson,
Blair,	Hughes,	Rodman,
Bledsoe,	Huston,	Shawhan,
Butler,	Jackson,	Sherwood,
Chenault,	Johnson,	Smith,
Collins,	Leonard,	Speed,

Conklin,	Lewis, D. P.	Spurr,
Cottle,	Lewis, R. G.	Stevens, J.
Crenshaw,	Logan,	Stewart, M.
Daviess, W.	Magruder,	Stuart, J.
Davis, J. W.	Mason,	Swan,
Davis, J.	McConnell,	Terrill,
Dodds,	McFarland,	Thompson,
Dohoney,	Menzies,	Turner,
Dunlap,	Miller,	Underwood,
Duvall,	Morris,	Vaughan,
Eversole,	Murphy,	Vickers,
Ewing,	Newell,	Whitsett,
Ford,	Noe,	Word—73.
Garland,		

Those who voted in the negative, were—

Messrs. Alexander,	Harreld,	Stevens, S.
Anderson,	Harrison,	Thomas,
Bassett,	Headley,	Towles,
Bibb,	Jefferson,	Vertress,
Cargill,	Lucas,	Wallace,
Eubank,	McClarty,	Wilson,
Gordon,	McLarning,	Woods—23.
Grundy,	Napier,	

Mr. Towles moved to dispense with the orders of the day.

And the question being taken thereon, it was decided in the negative, it requiring a majority of two thirds to dispense.

The yeas and nays being required thereon by Messrs. Blair and Speed, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Dohoney,	McClarty,
Messrs. Alexander,	Duvall,	McConnell,
Anderson,	Eubank,	McLarning,
Barbee,	Eversole,	Napier,
Barlow,	Garred,	Noe,
Barnes,	Gordon,	Shawhan,
Bassett,	Grundy,	Sherwood,
Beaty,	Harreld,	Stevens, J.
Bibb,	Harrison,	Stevens, S.
Bledsoe,	Harris,	Stuart, J.
Boarman.	Headley,	Terrill,
Butler,	Hughes,	Thomas,
Cargill,	Jackson,	Thompson,
Chenault,	Jefferson,	Towles,
Collins,	Johnson,	Vaughan,
Cottle,	Jones,	Vertress,
Daviess, W.	Leonard,	Vickers,
Davis, J. W.	Logan,	Wallace,
Davis, J.	Lucas,	Wilson,
Dodds,	Mason,	Woods—60.

Those who voted in the negative, were—

Messrs. Best,	Holton,	Reynolds,
Bickley,	Huston,	Rhea,
Blair,	Lewis, D. P.	Robertson,
Conklin,	Lewis, R. G.	Rodman,
Crenshaw,	McFarland,	Smith,
Dunlap,	Menzies,	Speed,
Ewing,	Miller,	Spurr,
Ford,	Morris,	Stewart, M.
Garland,	Murphy,	Swan,
Hardin,	Newell,	Turner,
Hayden,	Pope,	Underwood,
Hite,	Records,	Whitsett,
Holladay,	Reiley,	Word—39.

The question was then taken on re-considering the vote laying on the table the bill for the benefit of John G. Chiles, of Lexington, and it was decided in the affirmative.

Ordered, That said bill be referred to the committee on Ways and Means.

The House then, according to order, resolved itself into a committee of the whole, on the bill to levy a tax of two cents on each hundred dollars worth of taxable property for the purpose of establishing, more permanently, a Common School System in the State, Mr. Towles in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Towles reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Kenton county, praying the passage of a law permitting the people of said county to vote on the removal of the Seat of Justice, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. Menzies, leave was given to withdraw said petition, and the same was withdrawn.

Mr. Morris, from the committee on the Judiciary, to whom was referred a bill for the benefit of Andrew J. Banton, reported the same with an amendment, which was concurred in.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the committee on the Judiciary, viz:

A bill for the benefit of Aaron Hostetter.

A bill for the benefit of Charles Talbott.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that he titles thereof be as aforesaid.

And then the House adjourned.

FRIDAY, FEBRUARY 9, 1849.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Russellville and Nashville Turnpike Road Company.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to allow J. L. Jones and John Adams to erect a mill dam on Licking River.

An act to regulate the public roads in Bullitt county.

An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act to repeal, in part, an act declaring Pond River a navigable stream.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act for the benefit of Nathan Wallis, of Hickman county, and Robt. Taylor, of Monroe county.

An act declaring certain streams in Floyd and other counties navigable.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to protect the estates of deceased persons.

An act concerning the Treasurer and Auditors, and prescribing further duties to each.

An act for the benefit of F. G. Everett, of Hart county.

1. Mr. Underwood presented the memorial of James R. Skiles, asking a final adjustment of his accounts with the State, as Commissioner of public works on Green and Barren Rivers, and a fair allowance for disbursement of money, &c.

2. Mr. Chenault presented the petition of Mary McWilliams, praying to be divorced from her husband, Harrison McWilliams.

3. Mr. Dohoney presented the petition of Susan Norris, praying to be divorced from her husband, Ezekial Norris.

4. Mr. Spurr presented the petition of Ellen Scott, praying to be divorced from her husband, William Scott.

5. Mr. Jackson presented the petition of Mrs. Merritt, praying to be divorced from her husband, William Merritt.

6. Mr. Barnes presented the memorial of sundry citizens of Owsley county, praying an appropriation of money to remove the obstructions to the navigation of the Kentucky River above slack water.

7. Mr. Bickley presented the petition of the Commissioners of the Washington and Murphyville Turnpike Road, praying an amendment to the charter of said road.

8. Mr. Woods presented the petition of Samuel Riggs, praying that he be permitted to peddle goods without license.

9. Mr. Thompson presented the petition of sundry citizens of Hart county, praying that authority be given the County Court of said county to establish a certain road.

10. Mr. Menzies presented the petition of Mary Ann Cox, praying to be divorced from her husband, Willis H. Cox.

11. Mr. Boarman presented the petition of sundry citizens of Marion, Nelson, Taylor and Larue counties, praying an appropriation for removing obstructions to the navigation of the Rolling Fork.

12. Mr. Pope presented the petition of S. Casseday, praying an incorporation of the Louisville Orphans' Home Society.

13. Mr. Eversole presented the petition of William Baker, praying a change of venue in the prosecution against him in the Clay Circuit Court, for murder.

14. Mr. Bassett presented the petition of John Elston, praying to be divorced from his wife, Elizabeth Elston.

15. Mr. Jackson presented the petition of Jarvis Jackson and others, praying the repeal of the act of 1st of March, 1848, for the extension of the Madison and Wilderness Turnpike Road, and parts of other acts in relation to said road.

16. Mr. Blbb presented the petition of sundry citizens of Todd county, praying that the charter of Augusta College be repealed.

17. Mr. Dodds presented the petition of sundry citizens of Calloway county, praying that an additional Constable be allowed to said county.

18. Also, the petition of Nancy Stringer, praying to be divorced from her husband, Leonard Stringer.

19. Mr. W. Daviess presented the petition of sundry citizens of Harrodsburg, praying an extension of the powers of the Police Judge of said town.

20. Mr. Swan presented the petition of sundry citizens of Bullitt county, praying the establishment of a new county out of parts of said county, and the counties of Meade, Hardin and Jefferson.

21. Mr. Alexander presented the petition of sundry citizens of Nicholas and Bourbon counties, praying the adoption of resolutions expressive of the will of the people of this State on the subject of slavery.

22. Mr. Vertress presented the remonstrance of sundry citizens of Hardin county, against a change of the place of voting in an election precinct in said county.

23. Mr. Dodds presented the petition of sundry citizens of Calloway county, praying that an additional election precinct be established in said county.

Which were received, the reading dispensed with, and referred—the 1st, 6th, 11th and 15th to the committee on Internal Improvement; the 2d, 3d, 4th, 5th, 10th, 14th and 18th to the committee on Religion; the 7th to Messrs. Bickley, Best and Jefferson; the 8th to the committee on Ways and Means; the 9th to Messrs. Thompson, Barbee and Vaughan; the 12th to Messrs. Pope, Morris and J. Stuart; the 13th, 16th, 17th and 19th to the committee on the Judiciary; the 20th to the committee on Propositions and Grievances; the 21st to the committee on Federal Relations; the 22d to the committee on Privileges and Elections; and the 23d to Messrs. Dodds, J. Stevens and Rodman.

Leave was given to bring in the following bills, viz:

On motion of Mr. Rhea—1. A bill for the benefit of Bazil Wood.

On motion of Mr. J. W. Davis—2. A bill for the benefit of Bethania Bennet.

On motion of Mr. Records—3. A bill to amend the act, entitled, an act to establish a bridge at Falmouth, approved January 30, 1834.

On motion of Mr. Conklin—4. A bill for the benefit of Charles H. Stutteville, late Sheriff of Grayson county, and for other purposes.

On motion of Mr. Reynolds—5. A bill to incorporate a Turnpike Road Company from Nicholasville to intersect the Lexington and Harrodsburg Turnpike.

On motion of Mr. Hite—6. A bill for the benefit of the wife of James Tucker, a lunatic.

On motion of Mr. Menzies—7. A bill for the benefit of William Gracey.

On motion of Mr. Towles—8. A bill for the benefit of the Sheriff of Hart county.

Ordered. That Messrs. Rhea, Ewing and Jefferson prepare and bring in the 1st; Messrs. J. W. Davis, Butler and Menzies the 2d; Messrs. Records, Newell and Bassett the 3d; Messrs. Conklin, Rodman and J. Stuart the 4th; the committee on Internal Improvement the 5th; Messrs. Hite, Swan and J. Stuart the 6th; Messrs. Menzies, Rhea and Jefferson the 7th, and Messrs. Towles, Rodman, Chenault, Noe, Newell, J. Stuart, Vaughan, Barbee, J. Davis and Crenshaw the 8th.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Pulaski, Wayne and Whitley counties, praying for a new county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Barlow, from the same committee, to whom was referred the petition of sundry citizens of Floyd, Morgan and Johnson counties, praying for a new county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Barlow, from the same committee, to whom was referred the petition of Francis Graves, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Mr. Barbee moved to amend said resolution by striking out "be rejected," and inserting "is reasonable."

And the question being taken thereon, it was decided in the affirmative.

Ordered, That the committee prepare and bring in a bill in accordance with the prayer of said petition.

Mr. Barlow, from the same committee, to whom was referred the petition of sundry citizen of Shelby county, praying to be added to the county of Franklin, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. Jones,

Ordered, That said petition be withdrawn, and the same was withdrawn.

Mr. Barlow, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of William Hare, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Barlow, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

1. An act for the benefit of John M. Fraim, of Monroe county.

2. An act for the benefit of James L. Turman and John L. Price.

Reported the same with amendments to each, which were concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the title of the 1st be as aforesaid, and the title of the 2d be amended by adding after "James L. Turman," the words, "Samuel Hogan."

Mr. Barlow, from the same committee, to whom was referred the bill from the Senate, entitled, an act for the benefit of Gilson P. Snelling, reported the same with an amendment, which was disagreed to.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barlow, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

An act for the benefit of James Bartrum.

An act for the benefit of James Byles.

An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

An act to extend the corporate limits of Newport.

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act authorizing the sale of certain alleys in Winchester.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the committee on Propositions and Grievances, viz:

1. A bill for the benefit of N. Y. Hillman, of Monroe county.
2. A bill for the benefit of A. M. Vanarsdale, of Mercer county.
3. A bill for the benefit of George T. Anderson, of Logan county.
4. A bill to change the State road leading from Canton to Waidsboro'.
5. A bill to change the lines between the counties of Clay and Laurel.
6. A bill for the benefit of A. J. Gatewood, of Barren county.
7. A bill for the benefit of Nathan Butler and Addison Carneal, of Todd county.
8. A bill for the benefit of R. P. Dodds, of Fulton county.
9. A bill for the benefit of J. S. Golliday, of Logan county.
10. A bill to change the line of Taylor and Green counties.
11. A bill to amend, in part, the charter of the city of Louisville.
12. A bill for the benefit of the Washington Female Seminary.
13. A bill for the benefit of Frederick Mayberry.
14. A bill for the benefit of S. G. Rogers.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was referred to the committee on Ways and Means, and the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the committee on Propositions and Grievances, moved the following resolution, viz:

Resolved, That the committee on Propositions and Grievances, to whom was referred the petition of sundry persons of Jefferson, Bullitt, Hardin and Meade counties, praying a new county to be formed out of parts of said counties, are hereby instructed to make their report on said petition at 10 o'clock on Thursday next.

Which was adopted.

Mr. Barlow, from the committee on Propositions and Grievances, reported a bill for the benefit of E. S. Steed, of Graves county; which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That E. S. Steed, of Graves county, be allowed to bring into this State a

negro boy slave named Josiah, without incurring the penalty of any law: *Provided*, that said E. S. Steed shall, within sixty days after such importation, take an oath before some Justice of the Peace for Graves county, that he bought said slave for his own use, and not for speculation or sale: *And, provided further*, that said slave shall not be sold in the State of Kentucky within five years from the passage of this act.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lucas and Shawhan, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Noe,
Messrs. Anderson,	Gordon,	Pope,
Barbee,	Grundy,	Records,
Barlow,	Harreld,	Reynolds,
Bassett,	Harris,	Rhea,
Beaty,	Hayden,	Rodman,
Best,	Hughes,	Sherwood,
Bibb,	Huston,	Speed,
Bickley,	Jackson,	Stevens, J.
Bledsoe,	Jefferson,	Stevens, S.
Boarman,	Johnson,	Stewart, M.
Cargill,	Jones,	Swan,
Crenshaw,	Leonard,	Terrill,
Davis, J. W.	Lewis, R. G.	Thompson,
Davis, J.	Logan,	Towles,
Dodds,	Magruder,	Turner,
Dohoney,	McClarty,	Underwood,
Dunlap,	McConnell,	Vaughan,
Duvall,	McFarland,	Vertress,
Eubank,	McLarning,	Vickers,
Eversole,	Menzies,	Wallace,
Ewing,	Miller,	Whitsett,
Ford,	Murphy,	Wilson,
Garland,	Napier,	Woods—72.

Those who voted in the negative, were—

Messrs. Blair,	Hite,	Robertson,
Butler,	Holladay,	Shawhan,
Conklin,	Lewis, D. P.	Smith,
Cottle,	Lucas,	Spurr,
Hardin,	Morris,	Stuart, J.
Harrison,	Newell,	Word—20.
Headley,	Reiley,	

Resolved, That the title thereof be as aforesaid.

At 12 o'clock, Mr. Spurr moved that the House, according to order, resolve itself into a committee of the whole on the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing more permanently a Common School System in the State.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spurr and Hayden, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barnes,	Hite,	Robertson,
Best,	Holladay,	Rodman,
Bickley,	Huston,	Smith,
Blair,	Lewis, D. P.	Speed,
Conklin,	Lewis, R. G.	Spurr,
Crenshaw,	Menzies,	Stewart, M.
Daviess, W.	Miller,	Swan,
Dunlap,	Morris,	Turner,
Duvall,	Pope,	Underwood,
Garland,	Records,	Whitsett,
Hardin,	Reiley,	Word—35.
Hayden,	Reynolds,	

Those who voted in the negative, were—

Mr. Speaker,	Garred,	Napier,
Messrs. Anderson,	Gordan,	Newell,
Barbee,	Grundy,	Noe,
Barlow,	Harreld,	Rhea,
Bassett,	Harrison,	Shawhan,
Beaty,	Harris,	Sherwood,
Bibb,	Headley,	Stevens, J.
Bledsoe,	Hughes,	Stevens, S.
Boarman,	Jackson,	Stuart, J.
Cargill,	Johnson,	Terrill,
Chenault,	Jones,	Thomas,
Cottle,	Leonard,	Thompson,
Davis, J. W.	Logan,	Towles,
Davis, J.	Lucas,	Vaughan,
Dodds,	Magruder,	Vertress,
Dohoney,	Mason,	Vickers,
Eubank,	McConnell,	Wallace,
Eversole,	McFarland,	Wilson,
Ewing,	McLarning,	Woods—58.
Ford,		

The House again resumed the consideration of the engrossed bill, entitled, an act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State.

Mr. Hughes moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Magruder and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Anderson,
Barbee,
Barlow,
Barnes,
Bassett,
Beaty,
Best,
Bibb,
Bickley,
Bledsoe,
Boarman,
Cargill,
Chenault,
Cottle,
Daviess, W.
Davis, J. W.
Davis, J.
Dodds,
Dohoney,
Dunlap,
Duvall,
Eubank,
Eversole,
Ewing,
Ford,
Garland,
Garred,
Gordon,
Grundy,
Harreld,
Harrison,
Harris,
Headley,
Holladay,
Hughes,
Jackson,
Johnson,
Jones,
Leonard,
Lewis, D. P.
Logan,
Lucas,
Magruder,
Mason,
McConnell,
McFarland,
McLarning,
Napier,
Newell,
Noe,
Rhea,
Shawhan,
Sherwood,
Stevens, J.
Stevens, S.
Stuart, J.
Terrill,
Thomas,
Thompson,
Towles,
Vaughan,
Vertress,
Vickers,
Wallace,
Wilson,
Woods—67.

Those who voted in the negative, were—

Messrs. Blair,
Conklin,
Crenshaw,
Hardin,
Hayden,
Hite,
Huston,
Lewis, R. G.
Menzies,
Miller,
Morris,
Pope,
Records,
Reiley,
Reynolds,
Robertson,
Rodman,
Smith,
Speed,
Spurr,
Stewart, M.
Swan,
Turner,
Underwood,
Whitsett,
Word—26.

The main question was then put, "Shall the bill pass?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cargill and Towles, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Anderson,
Barbee,
Barlow,
Eversole,
Ford,
Garred,
Gordon,
McConnell,
McLarning,
Napier,
Noe,

Bassett,	Grundy,	Shawhan,
Beaty,	Harreld,	Sherwood,
Bibb,	Harrison,	Stevens, J.
Bledsoe,	Harris,	Stevens, S.
Boarman,	Headley,	Stuart, J.
Cargill,	Hughes,	Terrill,
Chenault,	Jackson,	Thomas,
Collins,	Johnson,	Thompson,
Cottle,	Jones,	Towles,
Davis, J. W.	Leonard,	Vertress,
Davis, J.	Logan,	Vickers,
Dodds,	Lucas,	Wallace,
Dohoney,	Magruder,	Wilson,
Duvall,	Mason,	Woods—56.
Eubank,	McClarty,	

Those who voted in the negative, were—

Messrs. Alexander,	Holladay,	Reynolds,
Barnes,	Holton,	Rhea,
Best,	Huston,	Robertson,
Bickley,	Jefferson,	Rodman,
Blair,	Lewis, D. P.	Smith,
Conklin,	Lewis, R. G.	Speed,
Crenshaw,	McFarland,	Spurr,
Daviess, W.	Menzies,	Stewart, M.
Dunlap,	Miller,	Swan,
Ewing,	Morris,	Turner,
Garland,	Newell,	Underwood,
Hardin,	Pope,	Vaughan,
Hayden,	Records,	Whitsett,
Hite,	Reiley,	Word—42.

Mr. Headley moved a reconsideration of the vote passing said bill.

Mr. Towles moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the vote be reconsidered?" and it was decided in the negative.

Ordered, That Mr. Reynolds have leave of absence until Wednesday next, and Mr. Bledsoe until Tuesday next.

The House then resolved itself into a committee of the whole, on the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing, more permanently, a Common School System in this State, Mr. Towles in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Towles reported that the committee had, according to order, had under consideration the bill aforesaid, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

The House then resolved itself into a committee of the whole, on the bill further to provide for the erection of the Second Kentucky Lunatic Asylum, Mr. Noe in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Noe that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

SATURDAY, FEBRUARY 10, 1849.

A message was received from the Senate, announcing the passage of bills, and their concurrence in a resolution from this House, of the following titles, viz:

An act for the benefit of Andrew J. Banton.

An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county to the improvement of the navigation of the Kinnicanick, and for other purposes.

An act for the benefit of Aaron Hostetter.

An act for the benefit of Charles Talbot.

Resolution inviting the officers and soldiers of the war of 1812, to visit the Capital of Kentucky.

That they had passed bills of the following titles, viz:

An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross Mill Turnpike Road Company.

An act to amend the road law of Boone county.

An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.

And had received official information from the Governor, that he had approved and signed enrolled bills, originating in the Senate, of the following titles, viz:

An act for the benefit of R. M. Davis.

An act for the benefit of the heirs of Roly Mardis, deceased.

Approved February 7, 1849.

1. Mr. J. W. Davis presented the petition of A. B. Devore, praying that the name of Warner Harris Jones may be changed to that of Devore.

2. Mr. Morris presented the petition of Samuel L. Boicourt, praying that the name of Jas. Fitsgerald be changed to that of James Boicourt.

3. Also, the petition of the Mayor and Council of the city of Louisville, praying that the Clerk of the Police Court may be required to pay over fines received every month.

4. Mr. J. W. Davis presented the petition of W. B. McMarian, praying for an additional Justice of the Peace in Greenup county.

5. Mr. Harris presented the petition of sundry citizens of Floyd county, for the improvement of Big Sandy river.

6. Also, the petition of sundry citizens of Pike county, praying that Big Creek may be declared a navigable stream.

7. Mr. Morris presented the petition of N. J. Basler, praying that the Second German Benevolent Society, of Louisville, be incorporated.

8. Mr. Underwood presented the petition of Ann Booker, praying to be divorced from her husband, Mercer M. Booker.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th and 7th to the committee on the Judiciary; the 2d to Messrs. Morris, Rhea and Speed; the 5th and 6th to the committee on Internal Improvement, and the 8th to the committee on Religion.

Ordered, That Messrs. Sherwood and Lucas have leave of absence until Monday next.

Mr. Cottle asked leave to withdraw the petition of sundry citizens of Floyd, Morgan and Johnson, which was granted, and the same was withdrawn.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Warsaw Turnpike Company.

An act to incorporate the Maysville Linen Company.

An act for the benefit of Andrew J. Banton.

An act for the benefit of Aaron Hostetter.

An act for the benefit of Charles Talbot.

An act to amend an act, entitled, an act for the benefit of the Mechanics of the town of Covington and Newport, approved Feb. 22, 1834.

An act for the benefit of Mary Simpson and others, of Calloway county.

An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor, Hopkins and Livingston.

An act to establish election precincts in the counties of Fleming, Madison and Campbell, and to change certain election precincts in the counties of Clay and Perry.

An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke county.

An act for the relief of John Pitman and John C. Brown.

An act for the benefit of Minerva O'Reily and Mary Hudnall.

An act for the benefit of Stilwell H. Wakefield.

An act to divorce Harriet J. Wheeler.

An act to divorce Henry R. Bishop.

An act for the benefit of the Bath Seminary.

An act for the benefit of John Goodin.

An act to change the names of William Preston Smith and others.

An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.

An act for the benefit of Julia E. Crowdus.

An act to incorporate a Literary Association in the county of Garrard.

An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.

An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.

An act to change the August Chancery Term of the Christian Circuit Court.

An act for the benefit of Jesse F. Atchison, and others.

An act to allow an additional Justice of the Peace to the county of Adair.

An act to establish an additional election precinct in Allen county.

An act for the benefit of John C. Walker, guardian of Henry A. Ditto.

An act to establish a new Constable's District in the county of Boyle.

An act for the benefit of George Dunn, jailer of McCracken county.

An act for the benefit of James Cowan's heirs.

An act to incorporate the Henderson Cemetery Company.

An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.

An act to incorporate the Cumberland Presbyterian Church, in Henderson.

An act for the benefit of Benjamin All.

An act to incorporate the Bethlehem Baptist Church, of Hart county.

An act to incorporate Barker Lodge, and for other purposes.

An act to incorporate the Boone Monumental Association.

An act to enlarge the Haydensville Constable's District, in the county of Todd.

An act to divorce George W. McKinney.

An act to legitimate Walter Winston Anderson.

An act to divorce William H. Jackson.

An act to divorce Willis Hammon.

An act to incorporate the Bardstown Cemetery Company.

An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.

An act for the relief of Henry D. Gilmore and Keziah Gilmore, infant heirs of Winston Gilmore, deceased.

Resolution inviting the officers and soldiers of the war of 1812, to visit the Capital of Kentucky.

And bills which originated in the Senate, of the following titles, viz:

An act to run and mark the line between Crittenden and Caldwell.

An act for the benefit of the town of Greenville, in Muhlenburg county.

An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company, approved February 25, 1848.

An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.

An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.

An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.

An act to change the name of Taylorsville, in Boone county.

An act for the benefit of certain School Districts in this State.

An act to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Company.

An act for the benefit of the heirs of Richard Lowe, deceased.

An act for the benefit of the Sheriff of Hopkins county.

An act for the benefit of the former and present Sheriffs of Crittenden county.

An act for the benefit of the Bourbon County Agricultural Society.

An act for the benefit of the Sheriff of Lincoln county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Harris moved the following resolution, viz:

Resolved, That the President of the Board of Internal Improvement be requested to report to this House, the rates of toll charged on the Kentucky and Green Rivers, and the amount of tonnage on which tolls were collected for the past year; and that he be further requested to state

whether in his opinion the rates of toll might not be increased without effecting the commerce on said rivers.

Which was adopted.

Mr. J. W. Davis moved the following resolution, viz:

Resolved, That we, the Representatives of the people of Kentucky, are in favor of a Republican form of Government, and we believe that the elective principle should pervade every branch of the Government, from the Constable to the Chief Justice, and the coming Convention would act wise to adopt the elective system of Government, thereby restoring to the people the inalienable right of choosing their own servants to do their own work.

Mr. Holladay moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Jefferson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ewing,	Morris,
Messrs. Anderson,	Ford,	Napier,
Barnes,	Harreld,	Robertson,
Bassett,	Hayden,	Rodman,
Best,	Hite,	Smith,
Bibb,	Holladay,	Speed,
Bickley,	Jefferson,	Spurr,
Blair,	Lewis, R. G.	Stuart, J.
Boarman,	Logan,	Thomas,
Chenault,	Magruder,	Underwood,
Collins,	McClarty,	Wilson,
Duvall,	McFarland,	Woods,
Eubank,	Menzies,	Word—41.
Eversole,	Miller,	

Those who voted in the negative, were—

Messrs. Barbee,	Harris,	Pope,
Cargill,	Headley,	Records,
Conklin,	Huston,	Reiley,
Davis, J. W.	Jackson,	Rhea,
Davis, J.	Johnson,	Stevens, S.
Dodds,	Leonard,	Swan,
Dohoney,	McConnell,	Terrill,
Garland,	McLarning,	Thompson,
Garred,	Newell,	Vickers,
Gordon,	Noe,	Whitsett—30.

Mr. Holladay moved a reconsideration of the vote laying said resolution on the table.

Mr. Headley moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "shall the vote laying said resolution on the table be reconsidered?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bibb and Terrill, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Headley,	Pope,
Messrs. Anderson,	Hite,	Records,
Barbee,	Holladay,	Rhea,
Bickley,	Huston,	Smith,
Cargill,	Jackson,	Speed,
Chenault,	Jefferson,	Stevens, S.
Conklin,	Leonard,	Stewart, M.
Davis, J. W.	Lewis, R. G.	Stuart, J.
Davis, J.	Magruder,	Swan,
Eubank,	McClarty,	Terrill,
Eversole,	McLarning,	Underwood,
Ewing,	Morris,	Whitsett,
Garland,	Newell,	Word—41.
Hayden,		

Those who voted in the negative, were—

Messrs. Barnes,	Garred,	Napier,
Bassett,	Gordon,	Noe,
Best,	Harreld,	Reiley,
Bibb,	Harrison,	Robertson,
Blair,	Harris,	Rodman,
Boarman,	Johnson,	Spurr,
Collins,	Logan,	Thompson,
Dodds,	McConnell,	Vaughan,
Dohoney,	McFarland,	Wilson,
Duvall,	Menzies,	Woods—32.
Ford,	Miller,	

Mr. Holladay then withdrew his motion to lay said resolution on the table.

Mr. Barbee moved to amend said resolution by striking out all after the words "Chief Justice."

Mr. McLarning moved the following amendment as a substitute for the resolution and amendment, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the people possess sufficient intelligence, and are capable of determining for themselves, in what manner Judges and all other officers of this Commonwealth shall be appointed, without any opinion, dictation or instruction of the Legislature, by resolutions or otherwise.

Mr. Huston moved to lay said resolution and amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harris and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Hayden,	Rhea,
Bassett,	Hite,	Robertson,
Best,	Holladay,	Rodman,
Collins,	Huston,	Smith,
Davis, J.	Jefferson,	Speed,
Dohoney,	Johnson,	Spurr,
Duvall,	Logan,	Stevens, S.
Eubank,	Magruder,	Swan,
Eversole,	McConnell,	Underwood,
Ewing,	McFarland,	Vaughan,
Garred,	Menzies,	Vickers,
Gordon,	Miller,	Wilson,
Harreld,	Morris,	Woods,
Harrison,	Napier,	Word—42.

Those who voted in the negative, were—

Mr. Speaker,	Dodds,	Newell,
Messrs. Barbee,	Ford,	Noe,
Barnes,	Garland,	Pope,
Bibb,	Harris,	Records,
Bickley,	Headley,	Reiley,
Blair,	Jackson,	Stewart, M.
Boarman,	Leonard,	Stuart, J.
Cargill,	Lewis, R. G.	Terrill,
Chenault,	McClarty,	Thompson,
Conklin,	McLarning,	Whitsett—31.
Davis, J. W.		

Mr. Headley moved the following resolution, viz:

Resolved, That the committee on Ways and Means are hereby instructed to enquire into the propriety of requiring the holders of certificates of survey upon any of the vacant lands of this Commonwealth, to pay a tax for the registering of the same, and the issuing of patents thereon; and that they report by bill or otherwise.

Which was adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Terrill—1. A bill for the benefit of Narcissa Amanda Morgan and Abel Morgan.

On motion of Mr. Whitsett—2. A bill to amend the charter of the Glasgow and Scottville Turnpike Road Company.

On motion of Mr. Anderson—3. A bill to charter a Company to construct a road from Harrodsburg, by way of Maxville, to Springfield.

On motion of Mr. Cottle—4. A bill for the benefit of John W. Hazelrigg, administrator, with the will annexed, of Edmund Wells, deceased.

On motion of Mr. McClarty—5. A bill to amend the act incorporating the town of Cloverport, in the county of Breckinridge.

On motion of Mr. Harreld—6. A bill to extend the time of paying

for, and redeeming lands forfeited to the State, for the non-payment of the State price.

On motion of same—7. A bill to authorize the Butler County Court to apply the proceeds of the sales of vacant lands in said county to the improvement of Big Mud and Welsh's Creek.

On motion of Mr. Eversole—8. A bill for the benefit of John Begley.

On motion of Mr. Barnes—9. A bill to incorporate a Turnpike Road Company from Richmond to Irvine.

On motion of Mr. Harris—10. A bill for the benefit of Wm. Ratliff, of Pike county.

On motion of same—11. A bill to incorporate the town of Paintsville, in Johnson county.

On motion of same—12. A bill to amend the charter of the town of Pikesville, in Pike county.

On the motion of same—13. A bill for the benefit of Hiram K. Spurlock, and for other purposes.

On motion of same—14. A bill to authorize the County Court of Floyd to appropriate a portion of the vacant lands in said county to the improvement of the streams of said county.

On motion of Mr. Vaughan—15. A bill for the benefit of John B. Marshall, of Green county.

On motion of Mr. J. W. Davis—16. A bill to allow an additional Justice of the Peace to Greenup county.

On motion of Mr. Menzies—17. A bill to amend an act, entitled, an act to incorporate the Taylor's Mill Turnpike Road Company.

On motion of same—18. A bill for the benefit of the Covington and Lexington Turnpike Road Company.

On motion of same—19. A bill to incorporate the Franklin Fire Company, No. 2, of Covington.

On motion of Mr. Word—20. A bill for the benefit of the former Sheriff of Harlan county.

On motion of Mr. Morris—21. A bill to amend the charter of the Franklin Fire, Marine and Life Insurance Company of Louisville.

On motion of Mr. Holladay—22. A bill to amend the charter of the town of Carlisle, approved December 19, 1821, and for other purposes.

On motion of Mr. Leonard—23. A bill to regulate the duties of the Police Judge of the town of New Liberty, in Owen county.

On motion of same—24. A bill for the benefit of Louisa Turner, of Owen county.

On motion of same—25. A bill to charter the New Liberty and Marion Turnpike Road Company.

On motion of Mr. Magruder—26. A bill for the benefit of sundry citizens of Shelby county.

On motion of Mr. Barbee—27. A bill to amend the law in relation to lapsed legacies.

Ordered, That Messrs. Terrill, J. Stuart and Underwood prepare and bring in the 1st; Messrs. Whitsett, Hite, Rodman and J. Davis the 2d; the committee on Internal Improvement the 3d, 17th and 18th; the committee on the Judiciary the 4th, 6th and 27th; Messrs. McClarty, Smith and J. Stuart the 5th; the committee on Propositions and Grievances the 7th; the committee on Religion the 8th; Messrs. Barnes, Pope, Hardin and Chenault the 9th; Messrs. Harris, Barlow and J. W. Davis the 10th; Messrs. Harris, Newell and Cottle the 11th and 14th; Messrs. Harris, Barlow and Hughes the 12th; Messrs. Harris, J. W. Davis and Newell the 13th; Messrs. Vaughan, Barbee and Dohoney the 15th; Messrs. J. W. Davis, Garland and Harris the 16th; Messrs. Menzies, Towles and Holladay the 19th; Messrs. Word, Barlow and Jackson the 20th; Messrs. Morris, Pope and Speed the 21st; Messrs. Holladay, Menzies and Jefferson the 22d; Messrs. Leonard, Wilson and Logan the 23d and 24th; Messrs. Leonard, Duvall and Bassett the 25th; and Messrs. Magruder, Jones and Jackson the 26th.

Mr. Records moved the following resolutions, viz:

WHEREAS, It was evidently the opinion of Thomas Jefferson, one of the Apostles of Republican Government, that the people are the source of sovereign power, and are capable of governing themselves. Therefore,

Resolved, That as this House has not been instructed by the people, as to what amendments should be made to the Constitution by the Convention, all efforts to dictate on this subject are anti-Republican and irrelevant.

Resolved, That all subjects connected with the action of the coming Convention, should be left exclvsively to the people, who will instruct their delegates as to the amendments to the Constitution which they wish to be adopted.

On motion of Mr. Harris,

Ordered, That said resolution be laid on the table.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Whitsett—1. A bill to incorporate the Trustees of the Dripping Spring Regular Baptist Church in Barren county.

By Mr. Anderson—2. A bill for the benefit of James Penny.

By same—3. A bill for the benefit of Isham Jones.

By Mr. Harreld—4. A bill declaring Big Mud Creek a navigable stream.

By Mr. Dodds—5. A bill to establish election precincts in Calloway and Bullitt.

By Mr. McLarning—6. A bill to incorporate the South Kentucky Institute.

By Mr. Smith—7. A bill to establish election precincts in Clarke, Henderson and Hart counties.

By Mr. Barnes—8. A bill to incorporate the town of Irvine, in the county of Estill, and for other purposes.

By same—9. A bill to incorporate the Irvine Seminary, in the county of Estill.

By Mr. R. G. Lewis—10. A bill for the benefit of Milly Walker, of Fleming county.

By Mr. Harris—11. A bill to authorise the Johnson County Court to sell a part of the public square in Paintsville.

By Mr. Conklin—12. A bill for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.

By Mr. Vaughan—13. A bill for the benefit of Milly Ann Skaggs and Warren H. Jones.

By Mr. J. W. Davis—14. A bill for the benefit of Bethania Bennett.

By same—15. A bill to permit certain persons to build a mill dam across Kinnicanick.

By Mr. Thompson—16. A bill to authorize the Hart County Court to establish a road.

By Mr. Bassett—17. A bill repealing an act changing an election precinct in the county of Henry, from the house of James Ethington to the house of N. L. Oliver, approved March 1, 1847, and for other purposes.

By same—18. A bill to amend an act to establish a bridge at Falmouth, approved January 30, 1834.

By Mr. Miller—19. A bill to authorize the executor or administrator of W. N. Miller to sell a slave.

By Mr. Napier—20. A bill for the benefit of Jordan Middleton and William Ratliff.

By Mr. Gordon—21. A bill for the benefit of the Livingston Circuit and County Courts.

By Mr. Rhea—22. A bill authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.

By Mr. Pope—23. A bill to incorporate the Louisville Orphans' Home Society.

By same—24. A bill to amend an act to incorporate the Merchants' Louisville Insurance Company.

By Mr. Bickley—25. A bill to amend an act to incorporate a Turnpike Road from Washington to Murphsyville, in Mason county.

By Mr. Jefferson—26. A bill to amend an act incorporating the town of East Maysville, in Mason county.

By Mr. M. Stewart—27. A bill for the benefit of A. C. Daniel and others.

By Mr. Hite—28. A bill for the benefit of James Tucker and his wife.

By Mr. Holladay—29. A bill for the benefit of the Mechanics of Nicholas county.

By same—30. A bill for the benefit of Philip F. Craycraft and wife.

By Mr. Ford—31. A bill for the benefit of the town of Hawesville, in Hancock county.

By Mr. Duvall—32. A bill to incorporate the Georgetown and South Elkhorn Turnpike Road Company.

By Mr. Huston—33. A bill to amend the laws in relation to the Trustees of the town of Burlington.

By Mr. Noe—34. A bill for the benefit of the Sheriff of Hart county.

By Mr. Underwood—35. A bill to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.

By Mr. S. Stevens—36. A bill concerning the vacant lands in Whitley county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 22d, 23d, 24th, 25th, 26th, 28th, 29th, 30th, 31st, 32d, 33d, 35th and 36th bills were severally ordered to be engrossed and read a third time; the 21st and 34th were referred to the committee on Ways and Means, and the 27th to the committee on Military Affairs.

The rule of the House, constitutional provision and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 22d, 23d, 24th, 25th, 26th, 28tb, 29th, 30th, 31st, 32d, 33d, 35th and 36th bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Thomas, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the School Commissioners of Casey county; which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

The question being taken on the passage of said bill, it was decided in the negative, and so the said bill was rejected.

Mr. Menzies, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of William Gracey; which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Ewing moved an amendment to said bill.

Ordered, That said bill, and amendment, be referred to the committee on Ways and Means.

Mr. Ewing, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Bazil Wood, of Logan county; which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Mr. Menzies moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on Ways and Means.

Mr Chenault moved the following resolution, viz:

That for the better promotion of good order in the House, that no gentleman be permitted to give a lady his seat unless he first be presented with a seat by the Door-Keeper or Sergeant-at-Arms.

On motion of Mr. Towles,

Ordered, That said resolution be laid on the table.

And then the House adjourned.

MONDAY, FEBRUARY 12, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of John M. Fraim, of Monroe county.

An act for the benefit of James L. Turman and John L. Price.

That they had passed bills and concurred in a preamble and resolutions, from this House, of the following titles, viz:

An act for the benefit of George W. Finnie.

An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

An act for the benefit of Rebecca Royse, of Fleming county.

An act to incorporate the Louisville Commercial College.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act to allow an additional Constable to Green county.

An act to establish the Covington Commercial College.

An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt river.

An act for the benefit of John Carr, a lunatic.

With amendments to the two last named bills.

Preamble and resolutions in relation to the publication of a map of the State, by Boner and Klyng.

That they had passed bills of the following titles, viz:

An act for the benefit of Campbell county.

An act for the benefit of James A. Wilson.

An act for the benefit of Henry S. Bussey, Jailer of Lawrence county.

An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved January 31, 1814.

An act for the benefit of the Sheriff of Grant county.

An act for the benefit of William Griffey.

An act for the benefit of John D. Rake.

An act for the benefit of Thomas L. Garrard.

An act to incorporate the Flat Lick Seminary, in Knox county.

An act for the benefit of certain school districts in Pulaski county.

An act for the improvement of Cumberland river, and the roads in Pulaski county.

An act to construct a turnpike road from Versailles to the Kentucky river, at or near McCoun's ferry, and from Versailles to Munday's or Singleton's landing.

An act to change the time of holding the Anderson and Franklin Circuit Courts.

An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

An act for the benefit of the town of Newport.

An act to amend the law in relation to writs of *ad quod damnum*.

An act to suppress pistol galleries.

An act for the benefit of Louisa Williams.

An act for the benefit of the heirs of Matthew Logan, deceased.

A resolution in relation to a settlement with the present Keeper of the Penitentiary.

Mr. Towles read and laid on the table the following resolution, viz:

WHEREAS, it is represented to the General Assembly, that Brigadier General Shields, Senator from Illinois in the Congress of the United States, the companion in arms of General Taylor, and served with distinction throughout the whole Mexican war, and who was severely wounded at the memorable battle of Cerro Gordo, is now at Louisville in company with his old Commander. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the committee of invitation, appointed by the General Assembly to wait on General Taylor, now at Louisville, be instructed, by telegraph, to extend to General Shields an invitation, in the name and by authority of the State of Kentucky, to accompany General Taylor in his proposed visit to the Capital.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, they were twice read and adopted.

Leave was given to bring in the following bills, viz:

On motion of Mr. Thompson—1. A bill to amend an act, entitled, an act to incorporate the Munfordville Bridge Company.

On motion of Mr. Boarman—2. A bill for the benefit of Uriah Coppage.

On motion of Mr. Rodman—3. A bill for the benefit of Mahala Gwyn, of Larue county.

On motion of Mr. Terrill—4. A bill for the benefit of Henry L. Taylor, Thomas C. Taylor and Ann E. Ewell.

On motion of Mr. R. G. Lewis—5. A bill for the benefit of the heirs of Hiram Duley, deceased.

On motion of Mr. Reiley—6. A bill for the benefit of the County Court of Campbell.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st; the committee on the Judiciary the 2d and 6th; Messrs. Rodman, Vaughan and Swan the 3d; Messrs. Terrill, J. Stuart and Underwood the 4th, and Messrs. R. G. Lewis, Blair and Miller the 5th.

1. Mr. Barbee presented the petition of the citizens of Campbellsville, praying an extension of the town limits of said town.

2. Mr. Napier presented the petition of Lincoln Lodge, No. 60, praying an act of incorporation.

3. Mr. Noe presented the petition of John Jones, of Trigg county, praying to be divorced from his wife.

4. Mr. Bledsoe presented the petition of James Grider, praying to be added to the county of Clinton.

5. Mr. Ewing presented the petition of Elijah Carneal, praying to be divorced from his wife, Nancy Carneal.

6. Mr. Miller presented the petition of sundry citizens of Jefferson county, praying for an additional Justice of the Peace and Constable to said county.

7. Mr. Wilson presented the petition of sundry citizens of Oldham county, praying for an additional election precinct.

8. Mr. Menzies presented the petition of sundry citizens of Kenton county, praying that Irinda Sophia Shipp may be supported by the State as an idiot.

9. Also, the petition of A. G. Kleete, praying that compensation be allowed him for services rendered the Commonwealth.

10. Mr. Underwood presented the petition of B. B. Burge and Priscilla Burge, praying that their marriage may be legalized.

11. Mr. Best presented the petition of sundry citizens of Bracken county, praying for an act of incorporation for a turnpike road from Brookville to the Ohio river.

Which were received, the reading dispensed with, and referred; the 1st to Messrs. Barbee, Vaughan and Dohoney; the 2d and 4th to the committee on Propositions and Grievances; the 3d, 5th, and 10th to the committee on Religion; the 6th to the committee on the Judiciary; the 7th to the committee on Privileges and Elections; the 8th and 9th to the committee on Ways and Means, and the 11th to the committee on Internal Improvement.

A message was received from the Senate, announcing their concurrence in the resolution from this House, for inviting General Shields to accompany General Taylor on his visit to the Capital of Kentucky.

The House resumed the consideration of the bill to provide for the Geological and Mineralogical survey of the State.

On motion of Mr. Newell,

Ordered, That said bill be laid on the table.

Mr. Smith, from the committee on the Sinking Fund, to whom was referred a bill to amend an act to incorporate the Lexington and Frankfort Railroad Company, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

On motion of Mr. Johnson,

Resolved, That the use of this Hall be tendered to Mr. Lawrence, at 7 o'clock this evening, to give a geological lecture.

Mr. Conklin, from the committee on Public Offices, to whom was referred a bill from the Senate, entitled, an act in relation to the Executive Offices, reported the same with an amendment.

The said amendment was then amended, and as amended, was twice read and concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of Ira H. and William George, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of Louisa Williams, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on the Judiciary.

Mr. Cargill, from the committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled, an act allowing additional election precincts in Rockcastle and Knox counties, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Rhea, from the committee on Claims, to whom was referred the petition of George W. Lewis; the petition of John Welsh; the petition of John Morris and Job Allen; the petition of Frederick Gosney; the petition of John D. Rake, and the petition of Orman M. Davidson, reported the same with the following resolution, viz:

Resolved, That said petitions be rejected.

Which was concurred in.

On motion of Mr. Eversole, leave was given to withdraw the petition of John Morris and Job Allen, and the same was withdrawn.

Mr. Rhea, from the same committee, to whom was referred the petition of John Springer, reported the same with the following resolution viz:

Resolved, That said petition be rejected.

On motion of Mr. Boarman,

Ordered, That said petition be re-committed to said committee.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Sinking Fund—1. A bill to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

By the committee on Privileges and Elections—2. A bill to establish election precincts in Taylor and Laurel counties, and for other purposes.

By the committee on Claims—3. A bill for the benefit of Lydia Hindman, of Barren county.

By same—4. A bill for the benefit of Elisha Jones, of Larue county.

By same—5. A bill for the benefit of William Harmon, George W. Riddle and Clement M. Buckman.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 4th and 5th were amended.

Ordered, That said bills be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rhea, from the committee on Claims, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Jack Hardin and B. Mills Crenshaw.

An act for the benefit of William Cecil.

Reported the same, with amendments to each, which were concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rhea, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Fible, of Oldham county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Records, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in this House, entitled, an act to allow an additional Constable to Green county, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Bibb, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of Thomas Rankin, Jailer of Harrison county, reported the same with an amendment, which was disagreed to.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Bibb, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Green V. Goble, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Bibb, from the same committee, to whom was referred a bill for the benefit of S. Renfro, and others, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Swan, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Erwin Anderson, of Graves county.

An act for the benefit of Alonzo Livermore and Jacob Yost.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred bills from the Senate, of the the following titles, viz:

An act for the benefit of David I. Caldwell, his wife and children.

An act for the benefit of Miriam E. Carter.

An act for the benefit of the devisees of Rolla Blue.

An act granting a change of venue to William Burns.

An act for the benefit of William and Sarah Compton.

An act to amend an act, entitled, an act to incorporate the town of Greensburg.

An act for the benefit of James Haun, guardian of John James Haun.

An act for the benefit of the administrator and heirs of James G. Hazlerigg, deceased.

An act for the benefit of Nancy Strother and Margaret B. Carpenter.

An act to amend proceedings before Justices of the Peace.

An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

An act for the benefit of Garvin Morrison, Constable of Harrison county.

An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.

An act declaring the Hopkins Delta a public authorized newspaper.

An act for the benefit of Radford J. Maxey, of Monroe county.

An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

An act for the benefit of John J. Greenwade, and Mary, his wife.

An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

An act to amend an act concerning strays, approved March 1st, 1847.

An act for the benefit of the heirs of Wm. R. Griffith, deceased.

An act in relation to the Clerks of the Marshall Circuit and County Courts.

An act for the benefit of Warrenton S. Bland.

An act to incorporate the town of Owenton, in Owen county.

An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

An act for the benefit of Lodge No. 138, of Ancient York Masons.

An act to provide for the sale of a certain house of public worship in Hardin county.

An act allowing the Judge of the 16th Judicial District further time to move into his District.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Edwin Trimble, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and of Harry Stratton, executor of John C. Stratton."

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Washington Kennedy's children, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate, entitled, an act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

Mr. Conklin moved a re-consideration of the vote passing a bill for the benefit of S. Renfro, and others.

And then the House adjourned.

TUESDAY, FEBRUARY 13, 1849.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to divorce Tilman H. and Julia Ann Steele.

An act to incorporate the St. Louis and New Orleans Telegraph Company.

An act to divorce E. V. Scruggs.

An act to divorce George Boulton.

An act to divorce John G. Brown.

An act to divorce Sarah Lorispaugh, and for other purposes.

An act to divorce Edward Pelouze.

An act to divorce Mary Ann Carpenter.

An act to divorce David C. Spencer.

An act to divorce John M. Crane.

An act authorizing a re-conveyance of ten acres of land on Barren river to T. L. Stephens and James Ford.

An act to amend the road law in the county of Campbell.

An act for the benefit of Ralph F. Wood, of Barren county.

An act divorcing Benjamin R. Gaines and wife, and for other purposes.

An act allowing an additional Constable to Larue county.

An act authorizing the confinement of offenders against the ordinances of the city of Maysville in the county jail and jail yard in said city.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Floydsburg, Oldham county.

An act for for the benefit of the Trustees of the First Presbyterian Church, in Shelbyville.

An act to divorce John Adair, of Monroe county.

An act to divorce John R. Pates.

An act giving the County Courts of Laurel and Clay, the power of appointing Commissioners and Overseers of the Goose Creek Turnpike Road Company.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act to allow an additional Constable to Shelby county.

With amendments to the six last named bills.

That they had passed bills of the following titles, viz:

An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

An act to repeal an act, entitled, an act to amend and reduce into one the several acts concerning strays, approved March 1, 1847.

An act to repair certain books in the Logan County and Circuit Court Clerk's offices.

An act to incorporate the Clark's river bridge Company in McCracken co.

An act divorcing Henrietta Dupuy.

An act declaring Blackford Creek, between Daviess and Hancock counties, a navigable stream.

An act for the benefit of the Barren River Navigation and Manufacturing Company.

That they had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act for the benefit of the Sheriff of Lincoln county.

An act for the benefit of the Sheriff of Hopkins county.

An act for the benefit of certain School Districts in this State.

Approved February 12, 1849.

1. Mr. Huston presented the petition of sundry citizens of Spencer county, praying for an additional Justice of the Peace.

2. Also, the petition of sundry citizens of Spencer county, praying for a charter to construct a Turnpike Road from Taylorsville, to or near Mount Washington, in Bullitt county.

3. Mr. McLarning presented the memorial of D. S. Hays, in relation to the Sheriffalty of Christian county.

4. Mr. Spurr presented the petition of the Athenian Light Infantry, praying permission to appoint a collector.

Which were received, the reading dispensed with and referred—the 1st to Messrs. Huston, Best and Magruder; the 2d to Messrs. Huston, Johnson and Magruder; the 3d to Messrs. McLarning, Robertson and Morris, and the 4th to the committee on Military Affairs.

On motion of Mr. Robertson,

Resolved, That the resolution setting apart every Saturday for motions and reports from select committees, be and the same is hereby rescinded.

On motion of Mr. Johnson, leave was given to bring in a bill to amend the law regulating the acknowledgment of dower right.

Ordered, That the committee on the Judiciary prepare and bring in the same.

Mr. Robertson, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of Middletown, in Jefferson county, and for other purposes.

An act to amend the laws in relation to the town of Frankfort.

Reported the same, with amendments to each, which was concurred in.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, and the titles thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of Louisa Williams, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the committee on the Judiciary, viz:

A bill for the benefit of the North Benson Baptist Church, in Franklin county.

A bill allowing an additional term of the Greenup Circuit Court.

A bill for the benefit of Mrs. Leavy and her children.

A bill establishing a July Term of the Cumberland Circuit Court.

A bill for the benefit of Hiram Begley.

A bill for the benefit of Eden Shotwell.

A bill for the benefit of the Marshal of Paducah.

A bill to authorize the taking of the depositions of Physicians in certain cases.

A bill to repeal an act incorporating the town of Elizabethtown.

A bill for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.

A bill to extend the powers of the Marshal of the city of Louisville.

A bill for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

A bill to create the office of Police Judge in the town of Hartford, and defining his duties and powers.

A bill to allow an additional Constable to Hardin county.

A bill to regulate the holding of the Kenton Circuit Court, and for other purposes.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, announcing that he had approved and signed enrolled bills and a resolution, which originated in this House, of the following titles, viz:

An act for the benefit of Charles Talbott.

An act for the benefit of Aaron Hostetter.

An act for the benefit of Andrew J. Banton.

An act establishing election precincts in the counties of Larue, Mercer, Greenup, Garrard, Taylor, Hopkins and Livingston.

An act to establish election precincts in the counties of Fleming, Madison and Campbell, and to change certain election precincts in the counties of Clay and Perry.

An act to repeal an act, entitled, an act for the benefit of John Judy, of Clarke county.

An act for the relief of John Pitman and John C. Brown.

An act to change the names of William Preston Smith and others, of Henderson county.

An act supplemental to an act incorporating the Lexington and Frankfort Turnpike Company.

An act to incorporate the Maysville Linen Company.

An act to incorporate the Warsaw Turnpike Company.

An act to allow an additional Constable to Greene county.

An act to amend an act, entitled, an act for the benefit of the Mechanics of the towns of Covington and Newport, approved Feb. 22, 1834.

An act for the benefit of Mary Simpson and others, of Calloway county.

An act to declare legitimate Walter Winston Anderson.

An act for the benefit of John Goodin.

An act for the benefit of the Bath Seminary.

An act to establish a new Constable's District in the county of Boyle.

An act for the benefit of Benjamin All.

An act to incorporate the Cumberland Presbyterian Church, in Henderson.

An act to incorporate the Bardstown Cemetery Company.

An act to divorce William Young.

An act to divorce Maria Chapman.

An act to divorce Nancy Murphy.

An act to divorce Louisa Green.

An act to divorce Richard C. Guy.

An act divorcing John and Nancy Eversole.

An act to divorce Jas. C. Gourley, John Carroll, Sr., and John Cowen.

An act to divorce Lucinda Haydon.

An act to divorce William Grissum.

A resolution inviting the officers and soldiers of the war of 1812, to visit the Capital of Kentucky.

Approved February 12, 1849.

A message was received from the Governor, which is as follows, viz:

Executive Office,
February 13th, 1849.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you the correspondence between my predecessor and Mrs. Martha I. Barbour, the widow of the lamented Major Philip Norbourne Barbour, that the Legislature may see that the resolutions passed by the General Assembly have been carried into effect, and that the testimonial of their respect for the memory and services of a gallant officer, has been received and most gratefully acknowledged by his widow.

J. J. CRITTENDEN.

Executive Office,
February 29th, 1848.

Mrs. P. N. Barbour:

My Dear Madam: I had the honor of enclosing to you, on a previous occasion, a copy of the resolutions of the General Assembly of Ken-

tucky, designed to do appropriate honors to your lamented husband. You are thus advised of what these honors are, and you know also what has been accomplished in carrying out these resolutions.

It only remains for me now to tender you, in the name of the people of Kentucky, a sword inscribed with your husband's name—the emblem of his profession. Be pleased, my dear madam, to accept it, and to rest assured of the sincere sympathy of the people of our State—a sympathy which will continue so long as the virtues of the brave and magnanimous dead are remembered. I am, very truly,

Your friend and ob't serv't,
WM. OWSLEY.

Attest: O. BROWN,
Secretary of State.

HENDERSON, *March 18th*, 1848.

His Excellency, Governor Owsley:

RESPECTED SIR: I have the honor to acknowledge the reception of your Excellency's letter, tendering to me, in the name of the people of Kentucky, a "sword inscribed with my late husband's name, and the emblems of his profession." With heartfelt gratitude, I accept this beautiful, but mournful testimonial of the estimation in which the people of his native State held the virtues and services of my departed husband, and this additional evidence of sympathy with his heart-stricken widow. I trust that the noble example of Kentucky will stimulate those, whose duty it may be to fight, and perhaps to die, for their country, by the knowledge, that although their inanimate clay may be insensible to the honors awarded by a grateful country to their valor and fidelity, their widows and orphans will have the bitterness of sorrow soothed by such manifestations of sympathy and respect.

To the General Assembly, through your Excellency, as their organ, and to your Excellency, for the kind and considerate manner in which you have carried out their wishes in relation to my late husband, I tender the gratitude and acknowledgments which I deeply feel, but cannot express.

With high respect, your obliged,
MARTHA I. BARBOUR.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act to reduce into one the several acts concerning the town of Lagrange, with an amendment.

The said amendment was then twice read and concurred in.

Mr. Robertson, from the committee on the Judiciary, reported a bill to repeal the charter of Augusta College; which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled, "an act to incorporate the Trustees of Augusta College," approved December 7th, 1822, be and the same is hereby repealed: *Provided, however*, That the said corporation shall, as such, be liable to be sued on any of its liabilities, and have a right to take care or dispose of its property, and to coerce, by legal means, any demands which may be due to, or claimed by it, excepting only the unpaid balance of the subscription by the Kentucky Conference to endow the Roberts

Professorship, and the individual subscriptions to the Soule Professorship, the purpose of said subscriptions being no longer attainable, in consequence of the course pursued, and the position voluntarily assumed, by the said College in reference to said Conference and individual subscribers.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The hour of 12 o'clock arrived.

Mr. Hite moved to dispense with the orders of the day in order to proceed with said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blair and Chenault, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harreld,	Reynolds,
Messrs. Anderson,	Harris,	Rhea,
Barbee,	Hayden,	Robertson,
Barnes,	Headley,	Rodman,
Bassett,	Hite,	Sherwood,
Bibb,	Huston,	Smith,
Bledsoe,	Jackson,	Speed,
Cargill,	Johnson,	Spurr,
Chenault,	Jones,	Stevens, S.
Conklin,	Leonard,	Stewart, M.
Cottle,	Logan,	Stuart, J.
Davis, J. W.	Lucas,	Swan,
Davis, J.	Magruder,	Terrill,
Dodds,	McClarty,	Thomas,
Dohoney,	McConnell,	Thompson,
Duvall,	McFarland,	Underwood,
Eubank,	McLarning,	Vaughan,
Eversole,	Morris,	Vickers,
Ewing,	Napier,	Whitsett,
Ford,	Newell,	Wilson,
Garland,	Pope,	Woods,
Garred,	Reiley,	Word—67.
Gordon,		

Those who voted in the negative, were—

Mesers. Alexander,	Collins,	Menzies,
Best,	Holladay,	Miller,
Bickley,	Jefferson,	Noe,
Blair,	Lewis, D. P.	Records,
Boarman,	Lewis, R. G.	Towles—15.

Mr. Dohoney moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the bill be engrossed and read a third time?" and it was decided in the affirmative.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Cargill moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the bill pass?" and it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Towles and Blair, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gordon,	Reynolds,
Messrs. Anderson,	Grundy,	Rhea,
Barbee,	Harreld,	Robertson,
Barlow,	Harrison,	Rodman,
Bassett,	Harris,	Sherwood,
Bibb,	Hayden,	Speed,
Bledsoe,	Headley,	Spurr,
Cargill,	Hughes,	Stevens, J.
Chenault,	Huston,	Stevens, S.
Collins,	Jackson,	Stuart, J.
Conklin,	Johnson,	Swan,
Cottle,	Jones,	Thomas,
Daviess, W.	Leonard,	Thompson,
Davis, J. W.	Logan,	Towles,
Davis, J.	Magruder,	Underwood,
Dodds,	McClarty,	Vaughan,
Dohoney,	McConnell,	Vertress,
Duvall,	McFarland,	Vickers,
Eubank,	McLarning,	Wallace,
Eversole,	Morris,	Whitsett,
Ewing,	Napier,	Wilson,
Ford,	Newell,	Woods,
Garland,	Pope,	Word—71.
Garred,	Reiley,	

Those who voted in the negative, were—

Messrs. Alexander,	Holladay,	Miller,
Barnes,	Jefferson,	Noe,
Best,	Lewis, D. P.	Records,
Bickley,	Lewis, R. G.	Smith,
Blair,	Lucas,	Terrill—17.
Hardin,	Menzies,	

Resolved, That the title thereof be as aforesaid.

Mr. Towles insisted that the last call of the yeas and nays was on the previous question moved by Mr. Cargill.

The Speaker decided that it was taken on the passage of the bill.

From which decision Mr. Towles appealed.

The question was then put, "Shall the decision of the Chair stand as the judgment of the House?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Towles and Rhea, were as follows, to-wit:

Those who voted in the affirmative, were—

Messrs. Anderson,	Gordon,	Records,
Barbee,	Harris,	Reiley,
Bassett,	Hayden,	Reynolds,
Bibb,	Huston,	Robertson,
Bickley,	Jackson,	Rodman,
Bledsoe,	Johnson,	Sherwood,
Boarman,	Jones,	Smith,
Cargill,	Leonard,	Speed,
Chenault,	Lewis, D. P.	Spurr,
Collins,	Lewis, R. G.	Stevens, S.
Conklin,	Logan,	Stuart, J.
Davis, J. W.	Lucas,	Swan,
Davis, J.	Magruder,	Terrill,
Dodds,	McFarland,	Thompson,
Dohoney,	McLarning,	Underwood,
Duvall,	Menzies,	Vaughan,
Eubank,	Miller,	Whitsett,
Eversole,	Morris,	Wilson,
Ford,	Napier,	Woods,
Garland,	Newell,	Word—62.
Garred,	Noe,	

Those who voted in the negative, were—

Messrs. Alexander,	Harreld,	McConnell,
Barnes,	Harrison,	Pope,
Best,	Holladay,	Rhea,
Blair,	Jefferson,	Towles—14.
Ewing,	McClarty,	

Mr. Harris moved a reconsideration of the vote passing said bill.

Mr. Johnson moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the vote passing said bill be reconsidered?" and it was decided in the negative.

And then the House adjourned.

WEDNESDAY, FEBRUARY 14, 1849.

Mr. J. Stuart moved the following resolution, viz:

Resolved, That at the presentation of General Taylor in this Hall, there shall be admitted into the Hall, the Senators, Members of this House, and officers of State—and in the Lobbies and Gallary, the ladies, and no others; and that the Door Keeper appoint two Assistants.

Which was adopted.

And then the House adjourned.

THURSDAY, FEBRUARY 15, 1849.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, viz:

An act to extend the limits of the town of Ghent.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act to legalize the proceedings of a special term of the Estill County Court.

An act for the benefit of the mechanics of Estill and Owsley.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

That they had passed bills of the following titles, viz:

An act to charter the town of Princeton, and for other purposes.

An act to change the names of Samuel W. Grant, and others, to that of Atkinson.

An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

An act for the benefit of Rufus Lane.

An act concerning the granting of tavern licenses in the different cities and towns.

An act for the benefit of William S. Patterson.

An act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.

An act for the benefit of Abel Sullivan.

An act for the benefit of Isaac Munson and wife.

An act to restore the middle term of the Campbell Circuit Court.

An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Mountsterling, to sell a part of the Parsonage lot, and for other purposes.

And had received official information from the Governor, that he had approved and signed enrolled bills, originating in the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the Lexington Cemetery Company.

An act to amend an act authorizing a settlement with the Trustees of the Stanford Seminary, approved March 1, 1847.

An act to amend the act to incorporate the Great Crossings and Stamping Ground Turnpike Road Company.

An act to run and mark the line between the counties of Crittenden and Caldwell.

An act to amend an act, entitled, an act to incorporate the Rough and Ready Turnpike Company.

An act to divorce Nancy Landy.

An act to divorce David E. and Lucinda Baker.

An act for the benefit of George Coulon and Amanda Bileter.

An act for the benefit of Zilla Goldsberry.

An act to divorce Sarah A. Stevens.

An act to divorce Hannah Dolan.

Approved February 12, 1849.

1. Mr. W. Daviess presented the petition of Benjamin Moore, praying the passage of a law regulating surveyor's instruments.

2. Also, the petition of Christopher Graham, praying that the Harrodsburg Springs be incorporated.

3. Mr. Chenault presented the remonstrance of sundry citizens of Madison county, against the repeal of the act extending the Madison fork of the Wilderness road.

4. Mr. Anderson presented the petition of sundry citizens of Boyle county, praying an amendment to the charter of the Danville and Perryville Turnpike Road Company.

5. Mr. McClarty presented the petition of Matilda Riley, praying to be divorced from her husband, George Riley.

6. Mr. Huston presented the petition of William McCracklin, praying to be divorced from his wife, Julian Ann McCracklin.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Agriculture and Manufactures; the 2d to Messrs. W. Daviess, Grundy and Bassett; the 3d to the committee on Internal Improvement; the 4th to Messrs. Anderson, Napier and Harrison, and the 5th and 6th to the committee on Religion.

A bill from the Senate, entitled, an act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

On motion of Mr. Magruder—1. A bill to revive an act to incorporate a company to construct a turnpike road from Shelbyville to the contemplated railroad near Christiansburg, in Shelby county.

On motion of Mr. Napier—2. A bill for the benefit of the Board of Internal Improvement, in Lincoln county, and for other purposes.

On motion of Mr. Barlow—3. A bill to authorize the Register to extend a line in a survey of fifty acres, in the name of J. Eubank, in Monroe county.

On motion of Mr. Conklin—4. A bill to provide for the recording of all bonds hereafter executed by executive officers, and for other purposes.

On motion of Mr. Thomas—5. A bill for the benefit of Ira H. and William George.

Ordered, That Messrs. Magruder, Jones, Huston and Barlow prepare and bring in the 1st; Messrs. Napier, Woods and Anderson the 2d; Messrs. Barlow, Whitsett and Magruder the 3d; Messrs. Conklin, J. Stuart and J. W. Davis the 4th; and the committee on the Judiciary the 5th.

Ordered, That Mr. Crenshaw have leave of absence indefinitely.

Mr. Magruder, from the committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Hardin, Meade, Jefferson and Bullitt, praying for the formation of a new county, asked to be discharged from the further consideration of the same.

Mr. Vertress moved that said committee be instructed to prepare and bring in a bill in accordance with the prayer of said petition.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rodman and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barnes,	Ewing,	Rodman,
Bickley,	Ford,	Smith,

Boarman,	Garred,	Swan,
Collins,	Harreld,	Thomas,
Conklin,	Jefferson,	Thompson,
Davis, J.	Menzies,	Vertress—18.

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Napier,
Messrs. Alexander,	Harris,	Newell,
Anderson,	Hayden,	Pope,
Barbee,	Headley,	Records,
Barlow,	Hite,	Reiley,
Bassett,	Holladay,	Reynolds,
Beaty,	Holton,	Rhea,
Best,	Huston,	Robertson,
Bibb,	Johnson,	Shawhan,
Blair,	Leonard,	Sherwood,
Bledsoe,	Lewis, D. P.	Speed,
Cargill,	Lewis, R. G.	Spurr,
Chenault,	Logan,	Stuart, J.
Cottle,	Lucas,	Terrill,
Daviess, W.	Magruder,	Underwood,
Davis, J. W.	Mason,	Vaughan,
Dodds,	McClarty,	Vickers,
Dohoney,	McConnell,	Wallace,
Duvall,	McFarland,	Whitsett,
Eversole,	McLarning,	Wilson,
Garland,	Miller,	Woods,
Grundy,	Morris,	Word—67.
Hardin,		

Ordered, That said committee be discharged from the further consideration of said petition.

The House resumed the consideration of the motion of Mr. Conklin, to reconsider the vote passing the bill for the benefit of S. Renfro, and others.

And the question being taken thereon, it was decided in the negative

And then the House adjourned.

FRIDAY, FEBRUARY 16, 1849.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act for the benefit of Ira H. and William George.

That they had passed bills from this House of the following titles, viz:

An act to change a State road in Christian county.

An act to change an election precinct in the county of Pulaski.

An act to incorporate the Eagle Manufacturing Company.

That they had concurred in a resolution from this House, fixing a day for the final adjournment of the General Assembly, with an amendment.

That they had passed bills of the following titles, viz:

An act in relation to limited partnerships.

An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.

An act to incorporate the town of South Carrollton, in Muhlenburg county.

An act to divorce Jane McDonald, of Monroe county.

An act to divorce Allen Emberton, of Monroe county.

An act to divorce Elbridge G. Sibley, and Ellen, his wife.

An act to change the name of the town of Marion, in Scott county, to that of Oxford.

An act for the benefit of William Stilwell and others, of East Maysville.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

And had adopted a preamble and resolution concerning an increase of banking capital.

1. Mr. Pope presented the petition of Abraham Parkenson and George W. Duffey, praying for a change of venue.

2. Mr. Grundy presented the petition of sundry citizens of Washington county, praying that Beech Fork may be declared navigable above Ray's mill.

3. Also, the remonstrance of sundry citizens of said county, against the passage of any such law.

4. Mr. Sherwood presented the petition of sundry citizens of Anderson county, praying for the removal of two turnpike gates near Lawrenceburg.

5. Mr. Underwood presented the petition of William B. Hendricks, praying that certain tolls paid by him may be refunded.

6. Mr. Mason presented the petition of James H. Arnold, praying for a change of venue.

7. Mr. Eversole presented the petition of Malinda Merida, praying that the surveyor of Breathitt county may be permitted to survey for her a tract of land in said county.

Which were received, the reading dispensed with, and referred—the 1st and 7th to the committee on Education; the 2d, 3d, 4th and 5th to the committee on Internal Improvement; and the 6th to Messrs. Mason, J. W. Davis, Cottle and Newell.

Mr. Butler, from the committee on Privileges and Elections, to whom

was referred a bill from the Senate, entitled, an act to change the place of voting at an election precinct in Hardin county, reported the same without amendment.

Ordered, That said bill be re-committed to said committee.

Mr. Butler, from the same committee, made the following report, viz:

The committee on Privileges and Elections have, acccording to order, had under consideration the returns of the Sheriffs of this Commonwealth, and make thereon the following report. That, in the opinion of the committee, the following gentlemen are returned as duly elected to serve as members of this House of Representatives, for the present General Assembly, viz:

From the county of *Adair*—Chapman Dohoney.
From the county of *Allen*—Jonathan Davis.
From the county of *Anderson*—Edward Sherwood.
From the counties of *Ballard* and *McCracken*—Thomas F. Terrill.
From the county of *Barren*—William C. Whitsett and Littleberry P. Crenshaw.
From thecounty of *Bath*—John C. Mason.
From the county of *Boone*—William B. Murphy.
From the county of *Bourbon*—Douglass P. Lewis and William W. Alexander.
From the county of *Boyle*—Addison A. Anderson.
From the county of *Bracken*—William W. Best.
From the counties of *Breathitt* and *Morgan*—David N. Cottle.
From the county of *Breckinridge*—Joseph A. McClarty.
From the county of *Bullitt*—Frederick Johnson.
From the counties of *Butler* and *Edmonson*—Nelson Harreld.
From the county of *Caldwell*—Jesse Stephens.
From the counties of *Calloway* and *Marshall*—Francis U. Dodds.
From the county of *Campbell*—William Reiley.
From the counties of *Carroll* and *Gallatin*—Thomas L. Butler.
From the counties of *Carter* and *Lawrence*—Ulysses Garred.
From the county of *Casey*—Hiram Thomas.
From the county of *Christian*—John McLarning and D. H. Harrison.
From the county of *Clarke*—George Smith.
From the counties of *Clay*, *Letcher* and *Perry*—Joseph Eversole.
From the counties of *Cumberland* and *Clinton*—Joseph S. Bledsoe.
From the county of *Crittenden*—William Wallace.
From the county of *Daviess*—John H. McFarland.
Erom the counties of *Estill* and *Owsley*—Sidney M. Barnes.
From the county of *Fayette*—George Robertson and Richard J. Spurr.
From the county of *Fleming*—William W. Blair and Robert G. Lewis.
From the counties of *Floyd*, *Pike* and *Johnson*—John B. Harris.
From the county of *Franklin*—John A. Holton.
From the county of *Garrard*—Lafayette Dunlap.
From the county of *Grant*—Squire Lucas.
From the county of *Graves*—William M. Cargill.
From the county of *Grayson*—William L. Conklin.
From the county of *Green*—Fielding Vaughan.

From the county of *Greenup*—James W. Davis.
From the county of *Hardin*—William D. Vertrees and Thomas M. Swan.
From the county of *Harrison*—Hugh Newell and John Shawhan.
From the county of *Hart*—William B. Thompson.
From the county of *Henderson*—Thomas Towles, Jr.
From the county of *Henry*—Elbridge G. Bassett.
From the counties of *Hickman* and *Fulton*—William B. McConnell.
From the county of *Hopkins*—Newton Headley.
From the county of *Jefferson*—Robert N. Miller and Joshua F. Speed.
From the county of *Jessamine*—John M. Reynolds.
From the county of *Kenton*—John W. Menzies.
From the counties of *Knox* and *Harlan*—William Word.
From the county of *Larue*—Jesse H. Rodman.
From the counties of *Laurel* and *Rockcastle*—William Jackson.
From the county of *Lewis*—Nathaniel R. Garland.
From the county of *Lincoln*—Thomas W. Napier.
From the county of *Livingston*—William R. Gordon.
From the county of *Logan*—Albert G. Rhea and Presley U. Ewing.
From the city of *Louisville*—Hamilton Pope, Gwyn Page and Walker Morris.
From the county of *Madison*—Cyrus Turner and Waller Chenault.
From the county of *Marion*—Joseph M. Boarman.
From the county of *Mason*—William Bickley and John N. Jefferson.
From the county of *Meade*—James Stewart.
From the county of *Mercer*—William Daviess.
From the county of *Monroe*—John S. Barlow.
From the county of *Montgomery*—Madison Stewart.
From the county of *Muhlenburg*—John Vickers.
From the county of *Nelson*—B. Rowan Hardin and George W. Hite.
From the county of *Nicholas*—James H. Holladay.
From the county of *Oldham*—James F. Wilson.
From the county of *Owen*—John W. Leonard.
From the counties of *Ohio* and *Hancock*—Elisha M. Ford.
From the county of *Pendleton*—John E. Records.
From the county of *Pulaski*—Silas D. Woods.
From thecounty of *Russell*—James Collins.
From the county of *Scott*—William P. Duvall.
From the county of *Simpson*—William H. Eubank.
From the county of *Shelby*—William L. Jones and Josiah H. Magruder.
From the county of *Spencer*—Mark E. Huston.
From the county of *Taylor*—Elias L. Barbee.
From the county of *Todd*—Henry G. Bibb.
From the county of *Trigg*—Allen T. Noe.
From the county of *Trimble*—Benjamin H. Logan.
From the county of *Union*—Willis G. Hughes.
From the county of *Warren*—Warner L. Underwood.
From the county of *Washington*—Thomas S. Grundy.
From the county of *Wayne*—Martin Beaty.
From the county of *Whitley*—Solomon Stevens.
From the county of *Woodford*—Jesse Hayden.

T. L. BUTLER, *Chairman Com. P. & E.*

Leave was given to bring in the following bills, viz:

On motion of Mr. Turner—1. A bill to change the name of Martha Frisler, and for other purposes.

On motion of Mr. Boarman—2. A bill to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.

On motion of Mr. Terrill—3. A bill to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, approved March 2, 1844.

On motion of same—4. A bill for the benefit of R. T. Stratton, executor of Peter Stratton, deceased.

Ordered, That Messrs. Turner, Anderson and Bibb prepare and bring in the 1st; the committee on Internal Improvement the 2d; Messrs. Terrill, J. Stuart and Underwood the 3d and 4th.

The Speaker laid before the House the response of the President of the Board of Internal Improvement, to a resolution from this House of the 10th instant, proposed by Mr. Harris, which is as follows, viz:

OFFICE OF BOARD OF INTERNAL IMPROVEMENT,
February 16, 1849.

In obedience to a resolution of the House of Representatives, of the 10th instant, in relation to the rates of toll, &c., on Kentucky and Green rivers, I respond:

1. The rates of toll charged on the said rivers, during the past year, will be found in tabular statement, here referred to, marked A—and tabular statement, marked B, will exhibit the tonnage, &c., on said rivers, during same period. I would remark, that the rates of toll are not based on the *tonnage principle*, but on the hundred pounds, the foot, and specific article or thing.

2. I am further requested to state "my opinion as to the effect of an *increase* of the present rate of tollage on the commerce of said rivers." This inquiry involves matters of great interest to the State in the way of revenue, and of vital importance to those persons directly engaged in the travel and commerce of those rivers. Hence, much of the time and attention of the Board has been heretofore expended in anxious efforts to fix a just and fair tariff of tolls, adapted to the wants of the two lines of navigation. Internal slackwater improvements, as made in Kentucky, differs in many essential particulars from any other mode of transportation heretofore constructed in Europe or the United States; and hence the great difficulty of forming a proper basis, by analogy or otherwise, upon which to establish a tariff, just in principle and equal in its operation, on articles subject to tollage. All great canal and railroad improvements, either in Europe or the United States, are constructed from one great commercial or manufacturing terminus to another; and experience has taught the fact, that a reasonable decrease in the price of transportation or tollage, has increased the business, together with profit and dividend. But neither of the lines of slackwater navigation in our State, have the advantage of great commercial or manufacturing *termini;* and hence each have been compelled to create, to some extent, the business they now possess. The Kentucky river slackwater

navigation has been, and now is, very dependent on the railroad from Frankfort to Lexington, and this road being under the control of persons who manage the operations of the two packet steamers between Frankfort and Louisville, has operated as one of the principal causes of the present high tariff of tolls on that river; and were it not for the connexion of those packets with the railroad, I feel confident they would long since have been compelled to cease from the trade under the present tariff of toll. That connexion gave them the command of freight and passengers, and thereby forced out all opposition; and the result has been, that although those packets have paid each year near one fourth of their gross receipts into the State Treasury, in the way of toll, still they have been able to make handsome profits. But this state of things must cease whenever that railroad is finished and passes into the control of the new company.

The trade on the Kentucky river has, until within a few years past, been to and from the south; its tendency now is to and from the north. Hence, it is important to encourage a line of steam packets to Cincinnati, Pittsburg, &c., more especially as we have every reason to believe, that in a short time, the railroad from Louisville to Frankfort will be finished. The completion of that road will operate much against the business now done on the Kentucky river line, and in order to meet this event, the tolls on said river will have to be regulated in such way as to induce business to and from the north. For these causes, and others of equal influence, my present opinion is, that the rate of toll on the Kentucky river should be *decreased* instead of being *increased*.

The Board have had much difficulty in regulating the toll, &c., on the Green river line. And at the urgent wish and desire of those persons, either directly or indirectly interested in the commerce of that line, they were induced to make an experiment of a further reduction in the rate of toll, confidently hoping thereby to induce more business and greater profit—which reduction took effect on the 10th of the present month, as will be seen by a list of rates, rules, &c., now referred to, marked C, as part hereof.

The only true criterion by which a just and fair tariff of toll on the two lines of slackwater navigation can be made, is experience. And having an eye to this, I am clearly of the opinion, the tolls on the Kentucky river should not be increased.

All of which is respectfully submitted,

O. G. CATES, *P. B. I. I.*

To Hon. GWYN PAGE,
Speaker of the House of Representatives.

Tabular Statement of tonnage, &c., on the two lines of navigation, referred to, marked A.

During the year 1848 there has been carried up and down the Kentucky river—

17,497	tons of pound freight.
20,754	cabin passengers.
2,741	children, deckers and servants.
274	horses, mules and cattle.
3,842	barrels of liquor.
2,986	hogs and sheep.
8,255	sacks of wheat and corn.

1,055 hogsheads of tobacco.
11,048 pounds of beef, pork and lard.
4,123 dry barrels.
16,786 barrels salt, salt fish, &c.
$ 1,241 have been received for goods, &c., shipped by the lot.
$ 1,356 have been received from flats, rafts, &c.
$ 5,734 have been received for lockage.

During same time there was freighted up and down the Green and Barren River Line of Navigation—

1,786 tons of pound freight.
2,395 cabin passengers.
639 children, servants and deckers.
83 horses.
302 cattle.
684 cattle under two years old.
113 kegs of lard.
4,303 hogsheads of tobacco.
11,027 sacks of corn, &c.
2,362 barrels of liquor.
2,319 dry barrels.
5,962 barrels of salt.
1,831 barrels beef, pork and lard.
1,350 hogs and sheep.
412 hogs and sheep under six months old.
$ 327 73 have been received for goods, &c., shipped by the lot.

Tabular Statement of rates of toll, &c., on Kentucky and Green river line in 1848, referred to, marked B.

	Rates of Toll on Kentucky River Nav for the year 1848.	Rates of Toll on Green and Barren River Nav. for the year 1848.
Ascending freight, per 100 lbs, per mile,	⅜ mill.	2-3 mill.
Descending freight, per 100 lbs, per mile,	⅜ mill.	½ mill.
Cabin passengers, over 12 years, per mile,	10 mills.	5 mills.
Children, servants and deckers, per mile,	5 mills.	2½ mills.
Horses, mules and jennies, per mile,	5 mills.	3 mills.
Hogs and sheep, per mile,	2 mills.	½ mill.
Cattle, per mile,	5 mills.	2 mills.
Tobacco, per hogshead, per mile,*	–	3 mills.
Beef, pork and lard, per bbl, per mile,	2 mills.	2-3 mill.
All liquors, per bbl, ascending, per mile,	4 mills.	2½ mills
All liquors, per bbl, descending, per mile,	4 mills.	1½ mills.
All dry barrels, per mile,	1½ mills.	¾ mill.
Salt, salt fish and wet bbls, per mile,	2½ mills.	1¼ mills.
Lard, per keg, per mile,	½ mill.	1-6 mill.
Sacks of corn and wheat, of 2½ bushels, per mile,	½ mill.	¼ mill.
Lockage,	2 dollars.	2 dollars.
Hogs or sheep under six months old, per mile,	–	¼ mill.
Cattle under six months old, per mile,	–	1 mill.
Pig iron, per 100 lbs, per mile,	–	1-6 mill.
Household and kitchen furniture, farming utensils and goods, shipped by the lot, other than articles enumerated herein, six per cent., per Lock, upon charge of transportation, when ascending, and four per cent., when descending, upon each line of navigation.		

* On the Kentucky River Navigation, tobacco, per hogshead, pays for passing through No. 5, four cents; through No. 4, six cents; through No. 3, ten cents; through No. 2, fifteen cents, and through No. 1, thirty cents.

Rafts of timber, &c., 15 feet and under wide, 3 cents per lineal foot, per Lock. Rafts of timber, &c., over 15 feet and under 20 wide, 4 cents per lineal foot, per Lock. Rafts of timber, &c., 20 feet and over wide, 5 cents per lineal foot, per Lock.

These rates to be charged on steamers to McCoun's ferry, 95 miles; nothing from above that point.

Empty flat or keel boats to pay 3 cents per lineal foot, per Lock.

Flat boats, keel boats and rafts, coming from above Cleveland, to pay nothing; coming from between Cleveland and Dick's river, to pay one half of the above rates.

On the Green and Barren River Line of Navigation, keel or flat bottomed boats, ascending or descending, wholly or partially loaded within the influence of slackwater, with articles not enumerated herein, per lineal foot, 6 cents per Lock, except when loaded with coal, lumber or hoop poles, then to pay 3 cents per lineal foot, per lock.

The same, when starting above the influence of slackwater, and loaded wholly above the influence of slackwater, 2 cents per lineal foot, per Lock.

Same, when empty, 2 cents per lineal foot, per Lock.

The mouth of Drake's creek shall be deemed the head of the influence of slackwater upon Green and Barren River Navigation, and all boats loaded at or below that point, shall be considered as having been loaded within the influence of slackwater, and pay tolls accordingly.

Rates of toll, &c., on Green River Line for the year 1849, *referred to, and marked C.*

The first column of the annexed table shows the rate hereafter to be charged on specific articles in *mills*, per mile; the second, the gross sum in *cents*, on same articles heretofore charged from the mouth of Green River to Bowlinggreen, a distance of one hundred and seventy five miles; and the third column, the gross sum in cents, hereafter to be charged on same articles for same distance—thus making a slight discrimination in favor of transportation of freight and passengers when taken through the entire line of navigation, to-wit:

ITEMS.	MILLS.	CENTS.	CENTS.
Pound freight, per hundred, ascending, per mile,	One half mill.	11 cents 6 2-3 mills.	8 cents.
Pound freight, per hundred, descending, per mile,	One third mill.	5 cents 8⅓ mills.	5 cents.
Cabin passengers over 12 years, each, per mile,	5 mills.	87 cents 5 mills.	75 cents.
Children, servants and deckers, each, per mile,	2½ mills.	43 cents 7½ mills.	37½ cents.
Horse, mule, jack or jenny, each, per mile,	1½ mills.	52 cents 5 mills.	25 cents.
Hogs, sheep or goats, each, per mile,	One third mill.	8 cents 7½ mills.	5 cents.
Same animals under six months old, each, per mile,	One fourth mill.	4 cents 3¾ mills.	4 cents.
Cattle and other beasts of that class, each, per mile,	One mill.	35 cents.	15 cents.
Same, under two years old, each, per mile,	One half mill.	17 cents 5 mills.	8 cents.
Tobacco, per hogshead, per mile,	1½ mill.	52 cents 5 mills.	25 cents.
Beef, pork, lard and tallow, per barrel, per mile,	One third mill.	11 cents 6 2-3 mills.	5 cents.
Lard and tallow, per keg, per mile,	One eighth mill.	2 cents 9 1-6 mills.	2½ cents.
All liquor, per cask or barrel, ascending, per mile,	Two mills.	43 cents 7½ mills.	30 cents.
All liquor, per cask or barrel, descending, per mile.	One mill.	26 cents 2½ mills.	15 cents.
All dry barrels, each, per mile,	One half mill.	13 cents 1½ mill.	8 cents.
Salt fish, salt, and other wet barrels or sacks, each, per mile,	One mill.	21 cents 8¾ mills.	15 cents.
Corn, wheat, oats, rye or barley, per sack or barrel, each, per mile,	One eighth mill.	4 cents 3¾ mills.	2½ cents.
Iron in pig or bloom, per hundred, per mile,	One tenth mill.	2 cents 9 1-6 mills.	1½ cent.

Household, kitchen furniture, farming utensils, and all other goods shipped by the lot, other than articles above named, five per cent. per Lock, upon the charge of transportation, ascending; and three per cent. per Lock, on same, descending.

Keel or flat boats, other than steamers, when loaded in whole or in part, within the influence of slackwater, with any articles not enumerated in the above list, shall pay four cents per lineal foot per Lock. The same, when loaded with lumber or hoop poles, three cents per lineal foot per Lock; and same, when loaded with coal, lime, or ashes, one and one half cent per lineal foot per Lock.

Rafts of timber, lumber, &c., when fifteen feet and under wide, two cents per Lock. The same, when over fifteen feet and under twenty, three cents per lineal foot per Lock. The same, twenty feet and over wide, four cents per lineal foot per Lock. Flat boat, keel, or other craft, (except steamers,) when empty, shall pay two cents per lineal foot per Lock. Each steamer shall pay $2 for each Lock passed; and all flat or keel boats loaded with articles specifically tolled as above, within the influence of slackwater, shall pay fifty cents for each Lock passed.

Any boat, raft, or float, detained at any Lock on account of any defect in the public works or their fixtures, or the bad management or negligence of any Lock Keeper, or other Agent of the State, for the space of six hours at any one time, the owner or master of such boat, raft, or float, shall be entitled to a draw-back for the amount of toll due for the passage of such boat, raft or float, through the Lock at which the detention is thus caused. And for a like detention of twenty four hours, for like cause, shall be entitled to a draw-back of the entire toll due or paid for passing any intermediate Lock and the point of destination. But these draw-backs are in no case to be allowed when the detention is caused by the high or low water of Green or Barren rivers.

Each and every keel or flat bottomed boat, when starting above the influence of slackwater, and loaded above the influence of slackwater, shall be charged at the rate of two cents per lineal foot per Lock—and the mouth of Drake's creek shall be deemed the head of the influence of slackwater on Barren river; and the mouth of Bear creek shall be deemed the head of slackwater on Green river; and all boats loaded at, or below, either of those points, shall be considered as having been loaded within the influence of slackwater, and pay tolls accordingly.

Each and every boat, keel or raft of lumber, loaded and starting from any point between Lock No. 1, on Green river, and the mouth thereof, shall pay toll after the above rates, in the same manner as if such boat, keel, or raft, had passed said Lock.

Each and every owner or master of any boat, raft, or float, other than steamers, shall render a manifest of her respective freight, length or width of raft, to the Lock Keeper of the first Lock and Dam they desire to pass, and pay to him the full amount of toll due thereon for each and every Lock and Dam to be passed on her descending voyage.

Done by order of the Board of Internal Improvement the day and year above written. O. G. CATES, *President.*

Attest,

Austin P. Cox, *Secretary Board of Internal Improvement.*

A bill from the Senate, entitled, an act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company; was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. W. Daviess—A bill to incorporate the Harrodsburg Springs Co.

By the committee on Privileges and Elections—A bill to amend an act establishing election precincts in Mason county.

By Mr. Duvall—A bill to incorporate the New Liberty and Marion Turn pike Road Company.

By same—A bill to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

By same—A bill to change the name of Louisa Turner and others.

By Mr. Menzies—A bill to incorporate the Franklin Fire Company, No. 2, of Covington.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act for the benefit of John D. Locke's children, reported the same without amendment.

And the question being taken on reading said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

Mr. Dohoney moved to suspend the rules, in order to take up from the ordrs of the day the resolution fixing a day for the final adjournment of the General Assembly, and the amendment proposed thereto by the Senate.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dohoney and Newell, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Duvall,	Miller,
Messrs. Alexander,	Eubank,	Morris,
Anderson,	Eversole,	Napier,
Barbee,	Ewing,	Newell,
Barlow,	Ford,	Reiley,

Barnes,	Garland,	Reynolds,
Bassett,	Garred,	Rhea,
Beaty,	Grundy,	Robertson,
Best,	Harreld,	Rodman,
Bibb,	Harrison,	Shawhan,
Bickley,	Hayden,	Sherwood,
Blair,	Headley,	Smith,
Bledsoe,	Holladay,	Speed,
Boarman,	Holton,	Spurr,
Butler,	Jackson,	Stevens, S.
Cargill,	Jefferson,	Stewart, M.
Chenault,	Leonard,	Terrill,
Collins,	Lewis, D. P.	Thomas,
Conklin,	Lewis, R. G.	Thompson,
Cottle,	Logan,	Underwood,
Daviess, W.	Lucas,	Vaughan,
Davis, J. W.	Magruder,	Wallace,
Davis, J.	Mason,	Whitsett,
Dodds,	McConnell,	Wilson,
Dohoney,	McFarland,	Woods—77.
Dunlap,	McLarning,	

Those who voted in the negative, were—

Messrs. Gordon,	Jones,	Records,
Hardin,	McClarty,	Stuart, J.
Harris,	Menzies,	Swan,
Hite,	Murphy,	Towles,
Hughes,	Noe,	Vertress,
Huston,	Pope,	Vickers—19.
Johnson,		

Mr. Hughes moved to make said resolution and amendment the special order of the day for Thursday next, at 10 o'clock, A. M.

Mr. Jones moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

Mr. Vertress enquired of the Chair if a majority of the House could sustain a call upon the previous question, and contended that it required a majority of four fifths.

The Chair decided that a majority could sustain the call, from which decision Mr. Vertress took an appeal.

The question was then put, "Shall the decision of the Chair stand as the judgment of the House?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vertress and Jones, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Garred,	Miller,
Barbee,	Gordon,	Morris,
Barlow,	Grundy,	Murphy,

Barnes,	Hardin,	Newell,
Bassett,	Harreld,	Noe,
Best,	Harrison,	Pope,
Bibb,	Harris,	Records,
Bickley,	Hayden,	Reiley,
Blair,	Headley,	Reynolds,
Bledsoe,	Hite,	Rhea,
Boarman,	Holladay,	Robertson,
Butler,	Holton,	Rodman,
Cargill,	Hughes,	Shawhan,
Chenault,	Huston,	Sherwood,
Conklin,	Jackson,	Smith,
Cottle,	Johnson,	Spurr,
Daviess, W.	Leonard,	Stevens, S.
Davis, J. W.	Lewis, D. P.	Swan,
Davis, J.	Lewis, R. G.	Thompson,
Dodds,	Logan,	Towles,
Dohoney,	Lucas,	Underwood,
Dunlap,	Magruder,	Vaughan,
Duvall,	McClarty,	Wallace,
Eubank,	McConnell,	Whitsett,
Eversole,	McFarland,	Wilson,
Ewing,	McLarning,	Woods,
Ford,	Menzies,	Word—82.
Garland,		

Those who voted in the negative, were—

Messrs. Beaty,	Napier,	Vertress—4.
Jones,		

The main question was then put, "Shall the resolution and amendment be made the special order of the day for Thursday next, at 10 o'clock, A. M.?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shawhan and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Beaty,	Harrison,	Menzies,
Bickley,	Harris,	Miller,
Boarman,	Hite,	Noe,
Chenault,	Holton,	Pope,
Collins,	Hughes,	Records,
Conklin,	Jefferson,	Smith,
Daviess, W.	Jones,	Stuart, J.
Eubank,	Lewis, R. G.	Swan,
Ewing,	Logan,	Thomas,
Garland,	Lucas,	Thompson,
Gordon,	Magruder,	Towles,
Grundy,	McClarty,	Vertress,
Hardin,	McLarning,	Woods—40.
Harreld,		

Those who voted in the negative, were—

Mr. Speaker,
Messrs. Alexander,
Anderson,
Barbee,
Barlow,
Barnes,
Bassett,
Best,
Bibb,
Blair,
Bledsoe,
Butler,
Cargill,
Cottle,
Davis, J. W.
Davis, J.
Dodds,
Dohoney,
Dunlap,
Duvall,
Eversole,
Ford,
Garred,
Hayden,
Headley,
Holladay,
Huston,
Jackson,
Leonard,
Lewis, D. P.
Mason,
McFarland,
Morris,
Murphy,
Napier,
Newell,
Reiley,
Reynolds,
Rhea,
Robertson,
Rodman,
Shawhan,
Sherwood,
Spurr,
Stevens, J.
Stevens, S.
Underwood,
Vaughan,
Wallace,
Whitsett,
Wilson,
Word—52.

The question was then taken on concurring in the amendment proposed by the Senate to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. Stevens and Shawhan, were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Anderson,
Barbee,
Barlow,
Barnes,
Bassett,
Beaty,
Best,
Bibb,
Bickley,
Blair,
Bledsoe,
Boarman,
Butler,
Cargill,
Chenault,
Collins,
Conklin,
Cottle,
Daviess, W.
Davis, J. W.
Davis, J.
Dodds,
Dohoney,
Garred,
Gordon,
Grundy,
Hardin,
Harreld,
Hayden,
Headley,
Hite,
Holladay,
Holton,
Hughes,
Huston,
Jackson,
Jefferson,
Johnson,
Jones,
Leonard,
Lewis, D. P.
Lewis, R. G.
Logan,
Lucas,
Magruder,
Mason,
McClarty,
McConnell,
Napier,
Newell,
Noe,
Pope,
Records,
Reiley,
Reynolds,
Rhea,
Robertson,
Rodman,
Shawhan,
Sherwood,
Smith,
Speed,
Spurr,
Stevens, J.
Stevens, S.
Stewart, M.
Stuart, J.
Terrill,
Thomas,
Thompson,
Underwood,
Vaughan,
Vertress,

Duvall,	McFarland,	Wallace,
Eubank,	McLarning,	Whitsett,
Eversole,	Miller,	Wilson,
Ford,	Morris,	Woods,
Garland,	Murphy,	Word—90.

Those who voted in the negative, were—

Messrs. Dunlap,	Harris,	Swan,
Ewing,	Menzies,	Towles—7.
Harrison,		

Mr. J. Stevens moved a reconsideration of the vote concurring in said amendment, and after some discussion had thereon, the hour of 12 o'clock arrived, when the House proceeded to the orders of the day.

The House then resolved itself into a committee of the whole, on the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing, more permanently, a Common School System in this State, Mr. Barlow in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Barlow reported that the committee had, according to order, had under consideration the bill aforesaid, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

SATURDAY, FEBRUARY 17, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of Jack Hardin and B. Mills Crenshaw.

An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county.

An act for the benefit of William Cecil.

An act in relation to Executive Offices.

An act for the benefit of Middletown, in Jefferson county, and for other purposes.

An act for the benefit of Washington Kennedy's children.

An act to amend the laws relating to the town of Frankfort.

An act for the benefit of Edwin Trimble.

With amendments to the amendments to the last named bill.

That they had passed bills from this House, of the following titles, viz:

An act to divorce John and Nancy S. Cox.

An act to divorce Elizabeth Lewis.

That they had passed bills and adopted resolutions of the following titles, viz:

An act to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

An act to divorce Thomas T. Tindal and Nancy Bell.

An act for the benefit of George Riley, and Matilda, his wife.

Resolution fixing a day for the election of a Commissioner of the Lunatic Asylum at Lexington.

Resolution for a settlement with Peter Dudley, late Treasurer.

Mr. Pope, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Magruder—A bill to revive an act, entitled, an act to incorporate a Company to construct a Turnpike Road from Shelbyville to the contemplated Railroad near Christiansburg, Shelby county, approved 29th February, 1836.

By Mr. J. W. Davis—A bill to allow Greenup county an additional Justice of the Peace, and additional Constables to Henry and Cumberland counties.

By Mr. Anderson—A bill to amend the charter of the Danville and Perryville Turnpike Road Company.

By Mr. Mason—A bill granting a change of venue to Jas. H. Arnold.

By Mr. Barlow—A bill to authorize the Register of the Land Office to extend a line in a survey in the name of J. Eubank, in Monroe county.

By Mr. Napier—A bill for the benefit of the Board of Internal Improvement, of Lincoln county.

By Mr. Turner—A bill to change the name of Martha Frisler, and for other purposes.

By Mr. Vaughan—A bill for the benefit of John B. Marshall.

By Mr. Harris—A bill to improve the navigation of Middle and Beaver Creeks, in Floyd county.

By Mr. Hughes—A bill for the benefit of the Sheriffs of Union and Henry counties.

By the committee on Internal Improvement—A bill to amend the charter of the Licking and Lexington Railroad Company.

By Mr. Bledsoe—A bill for the benefit of Sophia Scott.

By the committee on Internal Improvement—A bill for the benefit of George W. King, of Henderson county.

By same—A bill to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

By Mr. Barbee—A bill to extend the limits of the town of Campbellsville.

By Mr. Huston—A bill to allow an additional Justice of the Peace to Spencer county.

By same—A bill to incorporate the Taylorsville and Mount Washington Turnpike Company.

By Mr. McClarty—A bill to amend the charter of the town of Lower Cloverport.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

1. Mr. Bibb presented the petition of John K. Smith, praying that he be permitted to bring a negro into this State.

2. Mr. Terrill presented the petition of the Justices of the Peace for McCracken county, praying permission to lay an additional levy either in April or May.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; and the 2d to Messrs. Terrill, J. Stuart and Underwood.

The House took up the resolution from the Senate, fixing a day for the election of a Commissioner of the Lunatic Asylum at Lexington, which being twice read, was concurred in.

The House then took up the bill to establish the Kentucky College of Medicine and Surgery.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That William C. Bullitt, John P. Morton, David Beattie, Benjamin Adams, Charles M. Thurston, James Rudd, David Meriweather, Garnett Duncan and John M. Breeden, with their successors and assigns, be and they hereby are incorporated and made a body politic, under the name and style of "The Kentucky College of Medicine and Surgery," for the promotion of medical science and art, and

for this purpose they may have a common seal; hold, manage and alienate property, both real and personal; elect officers and ordain all necessary by-laws and regulations; establish fellowships, scholarships and Boards of Examiners; appoint Professors, Lecturers and Teachers, and exercise all the privileges usually pertaining to corporations established for the benefit of any of the liberal arts and sciences.

Sec. 2. *Be it further enacted*, That the first meeting of the corporation shall be held within six months after the passage of this act, by a call from any two of the corporators, for the organization of the College; and it shall be lawful at this meeting, and at any subsequent regular meeting, for the College to fill any vacancies that may occur by death, resignation, or otherwise; a majority of the members present, voting by ballot, being necessary for a choice.

Sec. 3. *Be it further enacted*, That the Trustees of the Louisville Marine Hospital, shall allow to the Professors and Students of the Kentucky College of Medicine and Surgery, the same opportunities and facilities for clenical instruction in that Institution, which have been, or shall be afforded to the Professors and Students of the University of Louisville.

Sec. 4. *Be it further enacted*, That the Legislature may, at any time, alter or amend this act at their pleasure: *Provided, however*, That this act shall be submitted to the qualified voters for Mayor and Council of the city of Louisville, at the next election thereof, in May next, who are hereby empowered to say, by vote, whether they will ratify and accept the provisions of this act; and for that purpose a poll shall be opened by the Inspectors appointed to superintend the election in each of the wards of said city; and the Clerk of each ward, appointed to register the votes thereof, at said election, shall make two columns upon the book in which the votes are to be registered, which columns shall be headed "For and against the New School;" and he shall ask each voter, "Are you for or aginst the measure?" and the vote of each voter shall be carried into the one or the other of the columns, according as he shall express himself; and if a majority of those who vote in said election, on that question, shall cast their votes for the New School, it shall be the duty of the Mayor to make proclamation thereof; and from and after that time this act shall be in full force and virtue.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Mr. Hughes moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the bill pass?"

The yeas and nays being required thereon by Messrs. Noe and Magruder, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Records,
Messrs. Alexander,	Harris,	Reiley,
Anderson,	Holladay,	Rhea,
Barbee,	Holton,	Robertson,

Barlow,	Hughes,	Shawhan,
Bassett,	Huston,	Sherwood,
Best,	Jackson,	Spurr,
Blair,	Jefferson,	Stewart, M.
Bledsoe,	Johnson,	Stuart, J.
Boarman,	Leonard,	Swan,
Collins,	Lewis, D. P.	Vaughan,
Cottle,	Lewis, R. G.	Vertress,
Dohoney,	Logan,	Wallace,
Dunlap,	Lucas,	Whitsett,
Duvall,	Menzies,	Wilson,
Garland,	Murphy,	Woods,
Garred,	Newell,	Word—53.
Gordon,	Pope,	

Those who voted in the negative, were—

Messrs. Barnes,	Ewing,	McLarning,
Beaty,	Hardin,	Miller,
Bibb,	Harreld,	Morris,
Bickley,	Harrison,	Napier,
Cargill,	Hayden,	Noe,
Chenault,	Headley,	Reynolds,
Conklin,	Hite,	Rodman,
Daviess, W.	Jones,	Speed,
Davis, J. W.	Magruder,	Stevens, S.
Davis, J.	Mason,	Terrill,
Dodds,	McClarty,	Thompson,
Eubank,	McConnell,	Underwood—38.
Eversole,	McFarland,	

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, by Mr. Todd, announcing that they were then ready to proceed to the execution of the joint order in the election of a Commissioner of the Lunatic Asylum at Lexington.

Ordered, That Mr. Towles inform the Senate that this House is also ready to proceed with said election.

Mr. Towles nominated Mr. Richard A. Buckner as a suitable person to fill that office.

And after interchanging nominations, this House proceeded to take the vote, when Mr. Buckner received the unanimous vote of the House.

Messrs. Towles, Hite and Grundy were appointed a committee, on the part of this House, to act in conjunction with the committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Towles, from said committee, reported that Mr. Richard A. Buckner had received the unanimous vote of both Houses.

Whereupon, he was declared unanimously elected Commissioner of the Lunatic Asylum at Lexington.

The House then, according to order, resolved itself into a committee of the whole, on the bill to levy a tax of two cents on each hundred dollars

worth of taxable property for the purpose of establishing, more permanently, a Common School System in the State, Mr. Barlow in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Barlow reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and a preamble and resolutions, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to reduce into one the several acts concerning the town of Lagrange.

An act to divorce David C. Spencer.

An act to divorce John M. Crane.

An act allowing an additional Constable to Larue county.

An act divorcing Benjamin R. Gaines and wife, and for other yurposes.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county to the improvement of the navigation of Kinnicanick, and for other purposes.

An act to allow J. L. Jones and John Adams to erect a mill dam on Licking River.

An act for the benefit of Nathan Wallis, of Hickman county, and Robt. Taylor, of Monroe county.

An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act for the benefit of George W. Finnie.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

An act for the benefit of Rebecca Royse, of Fleming county.

An act to repeal, in part, an act declaring Pond River a navigable stream.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to establish the Covington Commercial College.

An act to establish the Louisville Commercial College.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act for the benefit of the mechanics of Estill and Owsley.

An act to legalize the proceedings of a special term of the Estill County Court.

An act to extend the limits of the town of Ghent.

An act to divorce John G. Brown.

An act to divorce Sarah Lorispaugh, and for other purposes.

An act to divorce Edward Pelouze.

An act to divorce Mary Ann Carpenter.

An act to amend the road law in the county of Campbell.

An act to regulate the public roads in Bullitt county.

An act to change a State road in Christian county.

An act to change an election precinct in the county of Pulaski.

An act to incorporate the St. Louis and New Orleans Telegraph Company.

An act for the benefit of Ralph F. Wood, of Barren county.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Floydsburg, Oldham county.

An act for for the benefit of the Trustees of the First Presbyterian Church, in Shelbyville.

An act authorizing the confinement of offenders against the ordinances of the city of Maysville in the county jail and jail yard in said city.

An act authorizing a re-conveyance of ten acres of land, on Barren river, to T. L. Stephens and James Ford.

An act to divorce Tilman H. and Julia Ann Steele.

An act to divorce E. V. Scruggs.

An act to divorce George Boulton.

An act to incorporate the Russellville and Nashville Turnpike Road Company.

Preamble and resolutions in relation to the publication of a map of the State, by Boner and Klyng.

And bills which originated in the Senate, of the following titles, viz:

An act for the benefit of Miriam E. Carter.

An act for the benefit of Middletown, in Jefferson county, and for other purposes.

An act in relation to the Executive Offices.

An act for the benefit of Washington Kennedy's children.

An act to provide for the sale of a certain house of public worship in Hardin county.

An act for the benefit of James Haun, guardian of John James Haun.

An act for the benefit of James L. Turman and John L. Price.

An act for the benefit of the devisees of Rolla Blue.

An act for the benefit of John M. Fraim, of Monroe county.

An act for the benefit of Gilson P. Snelling.

An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

An act for the benefit of James Byles.

An act for the benefit of the heirs of Wm. R. Griffith, deceased.

An act for the benefit of James Bartrum.

An act granting a change of venue to William Burns.

An act for the benefit of Green V. Goble.

An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

An act for the benefit of Jack Hardin and B. Mills Crenshaw.

An act to extend the corporate limits of Newport.

An act allowing the Judge of the 16th Judicial District further time to move into his District.

An act for the benefit of Warrenton S. Bland.

An act authorizing the sale of certain alleys in Winchester.

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act to incorporate the town of Owenton, in Owen county.

An act for the benefit of Erwin Anderson, of Graves county.

An act declaring the Hopkins Delta a public authorized newspaper.

An act for the benefit of Ira H., and Wm. George.

An act for the benefit of David I. Caldwell, his wife and children.

An act for the benefit of Louisa Williams.

An act allowing additional election precincts in Rockcastle and Knox counties.

An act for the benefit of Garvin Morrison, Constable of Harrison county.

An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

An act for the benefit of Thomas Rankin, Jailer of Harrison county.

An act for the benefit of John Fible, of Oldham county.

An act to amend an act concerning strays, approved March 1st, 1847.

An act to amend proceedings before Justices of the Peace.

An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

An act for the benefit of William Cecil.

An act for the benefit of Alonzo Livermore and Jacob Yost.

An act for the benefit of William and Sarah Compton.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to establish the Farmers' Bank of Kentucky.

Bills from the Senate of the following titles, viz:

1. An act in relation to the city of Covington.
2. An act for the benefit of the Leesburg Light Artillery Company.
3. An act for the benefit of the Hustonsville Uniform Infantry Company.
4. An act for the benefit of School District No. 9, of Russell county.
5. An act for the benefit of the Somerset Seminary.
6. An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.
7. An act for the benefit of Robert J. Terry, of Todd county, and Wm. Hart, of Jefferson county.
8. An act for the benefit of George Stivers, Sr., of Clay county.
9. An act for the benefit of the heirs of Edward Haley, deceased.
10. An act for the benefit of the widow and heirs of George Fry, deceased.
11. An act for the benefit of William Wallace Blackwell and others, of Clarke county.
12. An act to amend the penal laws in relation to gambling.
13. An act to incorporate the Covington Gas Light Company.
14. An act authorizing Coroners to convey lands in certain cases.
15. An act to amend an act to incorporate the Trustees and Stockholders of the Doane and Gracey Fund.
16. An act to repeal the law allowing retailers of dry goods and groceries to sell whisky, &c.
17. An act for the benefit of Elisha Crutchfield, of Graves county.
18. An act for the benefit of F. T. Taylor, of Hickman county.
19. An act for the benefit of M. V. Tomlinson, of Hickman county.
20. An act to divorce Nathan A. Williams, and others.
21. An act to incorporate the Owenton and Kentucky River Turnpike Road Company.
22. An act to protect the estates of deceased persons.

23. An act concerning the Treasurer and Auditors, and prescribing further duties to each.

24. An act for the benefit of F. G. Everett, of Hart county.

25. An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

26. An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross Mill Turnpike Road Company.

27. An act to amend the road law of Boone county.

28. An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.

29. An act for the benefit of James A. Wilson.

30. An act for the benefit of Henry S. Bussey, Jailer of Lawrence county.

31. An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved January 31, 1814.

32. An act for the benefit of the Sheriff of Grant county.

33. An act for the benefit of William Griffey.

34. An act for the benefit of John D. Rake.

35. An act for the benefit of Thomas L. Garrard.

36. An act to incorporate the Flat Lick Seminary, in Knox county.

37. An act for the benefit of certain school districts in Pulaski county.

38. An act for the improvement of Cumberland river, and the roads in Pulaski county.

39. An act to construct a turnpike road from Versailles to the Kentucky river, at or near McCoun's ferry, and from Versailles to Munday's or Singleton's landing.

40. An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

41. An act for the benefit of the town of Newport.

42. An act to amend the law in relation to writs of *ad quod damnum*.

43. An act to suppress pistol galleries.

44. An act for the benefit of the heirs of Matthew Logan, deceased.

45. An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

46. An act to repeal an act, entitled, an act to amend and reduce into one the several acts concerning strays, approved March 1, 1847.

47. An act to repair certain books in the Logan County and Circuit Court Clerk's offices.

48. An act to incorporate the Clark's River Bridge Company, in McCracken county.

49. An act divorcing Henrietta Dupuy.

50. An act declaring Blackford Creek, between Daviess and Hancock counties, a navigable stream.

51. An act for the benefit of the Barren River Navigation and Manufacturing Company.

52. An act to charter the town of Princeton, and for other purposes.

53. An act to change the names of Samuel W. Grant, and others, to that of Atkinson.

54. An act for the benefit of Rufus Lane.

55. An act concerning the granting of tavern licenses in the different cities and towns.

56. An act for the benefit of William S. Patterson.

57. An act for the benefit of Abel Sullivan.

58. An act for the benefit of Isaac Munson and wife.

59. An act to restore the middle term of the Campbell Circuit Court.

60. An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Mountsterling, to sell a part of the Parsonage lot, and for other purposes.

61. An act in relation to limited partnerships.

62. An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.

63. An act to incorporate the town of South Carrollton, in Muhlenburg county.

64. An act to divorce Jane McDonald, of Monroe county.

65. An act to divorce Allie Emberton, of Monroe county.

66. An act to divorce Elbridge G. Sibley, and Ellen, his wife.

67. An act to change the name of the town of Marion, in Scott county, to that of Oxford.

68. An act for the benefit of William Stilwell and others, of East Maysville.

69. An act for the benefit of George Riley, and Matilda, his wife.

70. An act to divorce Thomas T. Tindall and Nancy Bell.

71. An act to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st, 7th, 16th, 23d, 31st, 35th, 45th, 47th, 55th and 56th were referred to the committee on Ways and Means; the 2d, 3d, 4th, 5th, 8th, 9th, 10th, 11th, 13th, 15th, 27th, 28th, 32d, 36th, 39th, 40th, 41st, 48th, 51st, 52d, 53d, 57th, 59th, 60th, 62d, 63d, 67th and 68th were severally ordered to be read a third time; the 6th was referred to the committee on the Sinking Fund; the 12th, 14th, 22d, 42d, 43d, 44th, 46th, 58th, 61st and 71st to the committee on the Judiciary;

the 17th, 18th and 19th to the committee on Propositions and Grievances; the 20th, 49th, 64th, 65th, 66th, 69th and 70th to the committee on Religion; the 21st, 24th, 26th, 38th and 50th to the committee on Internal Improvement; the 25th to the committee of the whole House; the 29th, 30th, 33d, 34th and 54th to the committee on Claims, and the 37th to the committee on Education.

The rule of the House, constitutional provision and third reading of the 2d, 3d, 4th, 5th, 8th, 9th, 10th, 11th, 13th, 15th, 27th, 28th, 32d, 36th, 39th, 40th, 41st, 48th, 51st, 52d, 53d, 57th, 59th, 60th, 62d, 63d, 67th and 68th bills having been dispensed with,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be referred to the committee on Privileges and Elections.

A bill from the Senate, entitled, an act for the benefit of the Sheriff of Campbell county, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and for other purposes."

A bill from the Senate, entitled, an act to change the time of holding the Anderson and Franklin Circuit Courts; was read the first time and ordered to be read a second time,

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended to read, "an act to establish a summer term of the Franklin Circuit Court, and to change the fall term of said court."

A bill from the Senate, ehtitled, an act to change the time of holding the Hopkins Circuit Court, and for other purposes, was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A bill from the Senate, entitled, an act to establish the Farmers' Bank of Kentucky, was read the first time.

And the question being taken on reading said bill a second time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Cottle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hardin,	Pope,
Messrs. Alexander,	Harreld,	Records,
Anderson,	Harrison,	Reiley,
Barbee,	Harris,	Reynolds,
Barlow,	Hayden,	Rhea,
Barnes,	Headley,	Robertson,
Bassett,	Hite,	Rodman,
Beaty,	Holladay,	Shawhan,
Best,	Holton,	Sherwood,
Bibb,	Hughes,	Speed,
Bickley,	Huston,	Spurr,
Blair,	Jackson,	Stevens, J.
Cargill,	Jones,	Stevens, S.
Chenault,	Leonard,	Stewart, M.
Collins,	Lewis, D. P.	Stuart, J.
Conklin,	Lewis, R. G.	Swan,
Cottle,	Logan,	Terrill,
Daviess, W.	Lucas,	Thompson,
Davis, J.	Magruder,	Towles,
Dodds,	Mason,	Turner,
Dunlap,	McConnell,	Underwood,
Duvall,	McFarland,	Vaughan,
Eubank,	Menzies,	Vertress,
Eversole,	Miller,	Wallace,
Ewing,	Morris,	Wilson,
Garred,	Napier,	Woods,
Grundy,	Newell,	Word—81.

Those who voted in the negative, were—

Messrs. Davis, J. W.	Dohoney,	Garland—3.

Mr. Menzies moved to dispense with the second reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Cargill were as follows, to-wit:

Those who voted in the affirmative, were—

Mr. Speaker,	Harrison,	Reiley,
Messrs. Alexander,	Harris,	Reynolds,
Anderson,	Hayden,	Rhea,
Barlow,	Hite,	Robertson,
Barnes,	Holladay,	Rodman,
Bassett,	Holton,	Shawhan,
Beaty,	Hughes,	Sherwood,
Best,	Huston,	Speed,
Bibb,	Jackson,	Spurr,
Bickley,	Jones,	Stevens, J.
Blair,	Lewis, D. P.	Stevens, S.
Cargill,	Lewis, R. G.	Stewart, M.
Chenault,	Logan,	Stuart, J.
Collins,	Lucas,	Swan,
Conklin,	Magruder,	Terrill,
Cottle,	McConnell,	Thompson,
Davis, J.	McFarland,	Towles,
Dunlap,	McLarning,	Turner,
Duvall,	Menzies,	Underwood,
Eubank,	Miller,	Vaughan,
Eversole,	Morris,	Vertress,
Ewing,	Napier,	Wallace,
Garred,	Newell,	Wilson,
Grundy,	Pope,	Woods,
Hardin,	Records,	Word—76.
Harreld,		

Those who voted in the negative, were—

Messrs. Barbee,	Dodds,	Headley,
Daviess, W.	Dohoney,	Leonard,
Davis, J. W.	Garland,	Mason—9.

Ordered, That said bill be referred to the committee on Banks.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to amend the charter of the Kentucky and Louisville Mutua Insurance Company.

An act declaring certain streams in Floyd and other counties navigable.

An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt river.

An act for the benefit of John Carr, a lunatic.

An act to divorce John Adair, of Monroe county.

An act to divorce John R. Pates.

An act giving the County Courts of Laurel and Clay, the power of appointing Commissioners and Overseers of the Goose Creek Turnpike Road Company.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

An act to allow an additional Constable to Shelby county.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company.

Were taken up, twice read and concurred in.

The amendment proposed by the Senate, to the amendment of this House, to a bill from the Senate, entitled, an act for the benefit of Edwin Trimble, was taken up, twice read and concurred in.

Mr. Barlow moved a re-consideration of the vote passing the bill from the Senate, entitled, an act to incorporate the Covington Gas Light Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary.

On motion of Mr. Huston,

Ordered, That leave of absence for the balance of the session be granted to Mr. Thompson.

The following bills were reported, viz:

By Mr. Dohoney—A bill to extend the time for making certain surveys and returning platts and certificates thereof.

By the committee on Privileges and Elections—A bill to establish an election precinct at Ballardsville, in Oldham county.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the House adjourned.

MONDAY, FEBRUARY 19, 1849.

A message was received from the Senate, announcing the passage of bills of the following titles, viz:

An act for the benefit of Spotswood Wills.

An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.

And had received official information from the Governor, that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the town of Greenville, in Muhlenburg county.

An act for the benefit of the Bourbon County Agricultural Society.

An act for the benefit of the former and present Sheriffs of Crittenden county.

An act to repeal, in part, an act to enlarge the powers of the Trustees of Princeton.

An act to change the name of Taylorsville, in Boone county.

Approved February 12th, 1849.

1. Mr. Blair presented the petition of David H. Reeve, praying that the amount of two fines, assessed against, and paid by him for retailing spirituous liquors, be refunded to him.

2. Mr. Dunlap presented the petition of sundry citizens of Garrard county, praying that Harmony Church, in said couuty, be incorporated.

3. Mr. Alexander presented the petition of sundry citizens of Harrison county, praying that the County Court of said county be authorized to subscribe stock in certain Turnpike Road Companies.

4. Mr. W. Daviess presented the petition of John Montgomery, praying the passage of a law incorporating an Institution for the benefit of superanuated Ministers of the Gospel, and their widows and orphans.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to Messrs. Dunlap, Anderson and S. Stevens; the 3d to the committee on Internal Improvement; and the 4th to the committee on Religion.

On motion of Mr. Rhea,

Resolved, That the committee on Claims report the General Appropriation Bill on Thursday next, at 10 o'clock, A. M.

Mr. Pope, from the committee on Internal Improvement, to whom was referred the amendment proposed by the Senate, to a bill from this House,

entitled, an act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company, reported the same without amendment.

The said amendment reads as follows, viz:

Be it further enacted, That the Harrison County Court, a majority of all the Justices being present, is also authorized and empowered under like circumstances, to subscribe for stock in said Turnpike Road Company to any amount it may deem proper; such subscription, when made, to be in like manner binding on said county, and the money, to pay such subscription, to be raised by a tax to be levied on the taxable property and estate of said county, subject to the payment of State revenue; the levy not to exceed the rate prescribed in the first section of this act, and to be paid in like manner in discharge of said subscription.

And the question being taken on concurring in said amendment, it was decided in the negative, and so said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Alexander and Newell, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Harrison,	Napier,
Anderson,	Lewis, D. P.	Pope,
Barnes,	McLarning,	Reynolds,
Bickley,	Miller,	Terrill,
Chenault,	Murphy,	Underwood—16.
Dunlap,		

Those who voted in the negative, were—

Mr. Speaker,	Hardin,	Noe,
Messrs. Barbee,	Harris,	Records,
Barlow,	Hayden,	Reiley,
Bassett,	Headley,	Rhea,
Best,	Hite,	Robertson,
Bibb,	Holton,	Rodman,
Blair,	Huston,	Shawhan,
Bledsoe,	Jackson,	Sherwood,
Cargill,	Johnson,	Smith,
Cottle,	Leonard,	Spurr,
Daviess, W.	Lewis, R. G.	Stevens, S.
Davis, J. W.	Logan,	Stewart, M.
Davis, J.	Lucas,	Stuart, J.
Dodds,	Magruder,	Swan,
Dohoney,	Mason,	Thomas,
Duvall,	McClarty,	Vaughan,
Eubank,	McConnell,	Vertress,
Eversole,	McFarland,	Wallace,
Garland,	Menzies,	Whitsett,
Garred,	Morris,	Wilson,
Grundy,	Newell,	Woods—63.

Mr. Hite, from the committee on Religion, to whom was referred the amendment proposed by the Senate, to a bill from this House, entitled,

an act to divorce John L. Vaughan, reported the same without amendment.

The said amendment was then twice read and concurred in.

The House resumed the consideration of the motion to reconsider the vote concurring in the amendment proposed by the Senate, to the resolution from this House, fixing on a day for the final adjournment of the General Assembly.

Mr. Ewing moved to postpone the further consideration of said motion until Friday next, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newell and Holladay, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Harrison,	Murphy,
Barbee,	Harris,	Napier,
Barnes,	Hayden,	Noe,
Beaty,	Hite,	Pope,
Best,	Holton,	Records,
Bickley,	Jefferson,	Reiley,
Blair,	Johnson,	Reynolds,
Chenault,	Lewis, R. G.	Smith,
Collins,	Logan,	Stewart, M.
Daviess, W.	Lucas,	Swan,
Dunlap,	McClarty,	Thomas,
Ewing,	McConnell,	Towles,
Garland,	McLarning,	Vertress,
Garred,	Menzies,	Vickers,
Gordon,	Miller,	Wallace,
Grundy,	Morris,	Woods—49.
Hardin,		

Those who voted in the negative, were—

Mr. Speaker,	Headley,	Rodman,
Messrs. Alexander,	Holladay,	Shawhan,
Barlow,	Huston,	Sherwood,
Bassett,	Jackson,	Spurr,
Bibb,	Leonard,	Stevens, J.
Bledsoe,	Lewis, D. P.	Stevens, S.
Cargill,	Magruder,	Stuart, J.
Cottle,	Mason,	Underwood,
Davis, J. W.	McFarland,	Vaughan,
Davis, J.	Newell,	Whitsett,
Dohoney,	Rhea,	Wilson,
Duvall,	Robertson,	Word—37.
Eversole,		

Mr. Pope, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to incorporote the Green

and Larue County Turnpike Road Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Rodman—A bill for the benefit of Lucretia Gwyn.

By Mr. Holladay—A bill to authorize the Trustees of Carlisle to levy and collect an additional tax.

By the committee on the Judiciary—A bill to appoint a Justice of the Peace in Jefferson county, and for other purposes.

By same—A bill to authorize the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

By same—A bill to incorporate the Monodelphian Society of Industrial Education.

By same—A bill to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

By same—A bill for the benefit of John B. Phelps, a lunatic.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. McLarning, from the committee on the Judiciary, to whom was referred the petition of John Lutz, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Robertson, from the same committee, to whom was referred the petition of sundry citizens of Albany, in Clinton county, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

On motion of Mr. Bledsoe, leave was given to withdraw said petition, and the same was withdrawn.

Mr. Robertson, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the widow and heirs of Henry C. Hazlewood, deceased.

An act to provide for a change of venue in the prosecution against Thomas Smith.

An act for the benefit of Roland Salmons and her children.

Reported the same without amendment.

And the question being taken on ordering said bills to be read a third time, it was decided in the negative, and so the said bills were disagreed to.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend an act concerning mill dams, and other obstructions in water courses, approved 22d February, 1797, reported the same with an amendment, which was concurred in.

The said bill was further amended.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Morris, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the Charter of the Louisville Marine and Fire Insurance Company.

An act for the benefit of the Clerks of the Marshall Circuit and County Courts.

An act to incorporate the Maysville Cemetery Company.

An act to charter the Kentucky Insurance Company.

An act to incorporate the Maysville Gas Light Company.

An act to establish the office of Police Judge for the town of Harrisonville, in Shelby county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and the titles thereof be as aforesaid.

A message was received from the Governor, announcing that he had approved and signed sundry enrolled bills which originated in the House, of the following titles, viz:

An act for the benefit of James Cowan's heirs.

An act for the benefit of George Dunn, jailer of McCracken county.

An to act incorporate the Boone Monumental Association.

An act to incorporate Barker Lodge, and for other purposes.

An act to incorporate the Henderson Cemetery Company.

An act to enlarge the Haydensville Constable's District, in the county of Todd.

An act providing for running and marking a part of the county lines between Pike, Floyd and Lawrence.

An act for the benefit of Henry D. Gilmore and Keziah Gilmore, infant heirs of Winston Gilmore, deceased.

An act to establish an additional election precinct in Allen county.

An act to allow an additional Justice of the Peace to the county of Adair.

An act for the benefit of Jesse F. Atchison, and others.

An act to change the August Chancery Term of the Christian Circuit Court.

An act supplemental to an act incorporating the Newtown and Lexington Turnpike Company.

An act to revive an act to incorporate a Company to construct a Turnpike from Lancaster to Crab Orchard.

An act for the benefit of Julia E. Crowdus.

An act to incorporate a Literary Association in the county of Garrard.

An act for the benefit of John C. Walker, guardian of Henry A. Ditto.

An act to incorporate the Bethlehem Baptist Church, of Hart county.

An act to incorporate the Master and Wardens of Alexandria Lodge, No. 152, at Alexandria, in Campbell county.

An act to divorce Harriet J. Wheeler.

An act to divorce Henry R. Bishop.

An act to divorce George W. McKinney.

An act to divorce William H. Jackson.

An act to divorce Willis Hammon.

An act for the benefit of Minerva O'Reily and Mary Hudnall.

An act for the benefit of Stilwell H. Wakefield.

Approved February 12, 1849.

A message was received from the Governor, which is as follows, viz:

EXECUTIVE OFFICE,
February 19th, 1849.

Gentlemen of the Senate
and House of Representatives:

I would respectfully invite the attention of the General Assembly to the enclosed printed Report on the subject of International Exchanges, by Alexandre Vattemare. It will be seen, by an examination of the Report, that the Congress of the United States, and the Legislatures of many of the States, have given a prompt and favorable answer to the propositions of Monsieur Vattemare, and it is obvious that the proposed exchanges will be a very valuable acquisition to the Public Library and the Literary Institutions of our State.

It was the intention of M. Vattemare to have visited the Capital of Kentucky, and to have made a personal explanation of his plan to the Legislature, but circumstances have prevented him from doing so. I, therefore, in view of the importance and interest of the subject, commend it to your consideration. J. J. CRITTENDEN.

WASHINGTON, *November 20th*, 1848.

TO HIS EXCELLENCY,
the Governor of the State of Kentucky:

SIR: I have the honor to transmit to you a copy of the Report on the subject of International Exchanges, which I have presented to those States whose agent I have been appointed. I beg your favorable consideration of the subject of which it treats, and that you will invite to it the attention of the Legislature of your State. It is my intention, before leaving America, to visit every State that has not yet co-operated in the plan; but if I should not be able to accomplish this purpose, I hope that the intrinsic merits of the system will commend it to the support of the whole American Confederacy.

I have the honor to be, with the highest respect,
Your Excellency's very humble and obdient servant,
ALEXANDRE VATTEMARE.

WASHINGTON, *November* 22, 1848.

THE HON. ORLANDO BROWN, *Secretary of State of Kentucky:*

SIR: I have the honor of transmitting to you a copy of the Report on the subject of International Exchanges, which I presented to those States whose agent I have been appointed. My firm determination is to visit Frankfort during the present session of the Legislature of Kentucky; but if I should not be able to accomplish this ardent wish of mine, I respectfully beg of you to call the attention of His Excellency, and that of the Legislators, towards my humble efforts in the establishment of a scheme so well calculated for the diffusion of useful knowledge and good will among men. I doubt not, sir, that the moment they will have become acquainted with the intrinsic merits of the system, the support of the generous and warm-hearted people of Kentucky will, forever, be secured to it.

I hope that you have received the copy of a most interesting work, "*Histoire Naturelle des Animaux Domestiques*," which I was instructed to present to your State, and which I left in the hands of the celebrated agriculturist, Mr. Skeener, editor of the Farmer's Journal, New York, who was to forward it to you. The Hon. Mr. Morehead promised me that he would claim this work from Mr. Skeener, and take care it should reach its destination. If this has not been done yet, I beg of you to write to Mr. Skeener to have him to return this publication, which is an homage from his Excellency the Minister of Agriculture and Commerce of France to the State of Kentucky. I have, besides this, a good number of important works relative to agriculture and commerce of Europe, destined to Kentucky. I shall have, I hope, soon the honor of presenting them myself to your State Library.

Relying on your kindness and enlightened patriotism to help me in the full realization of my system of intellectual union of nations,

I have the honor to be, sir,
Your very humble servant,
ALEXANDRE VATTEMARE.

N. B. The re-publication of this Report would be of assistance to the cause, if distributed among the members of the Legislature.

WASHINGTON, *February 8th*, 1849.

HIS EXCELLENCY, *the Governor of Kentucky:*

SIR: I intended leaving Washington this very day for Kentucky, for the purpose of reaching Frankfort before the adjournment of the Legislature, but was prevented of doing so by the kind advice of the Hon. Mr. Morehead, who thought that it was too late for this present session. I therefore take the liberty of calling, again, your kind attention, and beg of you to invite the favorable consideration of the General Assembly towards the inclosed Report, hoping that measures may be adopted so as to enable your Excellency to settle the matter of international exchanges with you, in case I should not be able to visit Frankfort during the Legislative session, as I found it impossible to be, almost at the same time, from one extremity of the Union to the other.

My mission would be far from being accomplished, were I to return to Europe without having the name of Kentucky inscribed, with her sister States, in this great intellectual and peaceful confederation of nations, and to be thus deprived of the opportunity of showing the old world its immense intellectual, moral and natural resources, and have its citizens to enjoy all the advantages promised by the system of international literary exchanges.

I would likewise beg leave to call your attention to the inclosed series of questions. The Legislatures to whom they were addressed, until now, have joyfully and spontaneously answered to them, and ordered the same to be published as a Legislative Document, bearing the signature of the author of each of the statistical notices requested; ordering, at the same time, a sufficient number of this document to be printed for the purpose of having it widely circulated abroad and at home.

Nothing, in my humble opinion, is better calculated to call, at once, the universal attention of the world towards your glorious country, and secure thus its welfare and prosperity—objects in which I would be most happy to be one of the instrumentalities of your noble State. Accept my humble and devoted services.

I have the honor to be, with the highest respect,

Your Excellency's very humble servant

ALEXANDRE VATTEMARE.

REPORT *on the subject of International Exchanges, by Alexandre Vattemere.*

WASHINGTON CITY.

To his Excellency, the Governor of the State of Kentucky:

SIR: I have the honor to submit my first Report, as the Agent for International Exchange for the State of

In this Report will be considered—

I. The action of the Federal Government of the United States in relation to Exchanges.

II. The action of the State Legislatures upon the same subject.

III. A development of the plan, showing the mode in which the operations of Exchange are to be conducted; its expenses; the sources upon which it relies for revenue; the advantages to trade to be expected from its full realization; and, lastly, the moral bearing of the subject.

These subjects will be treated as briefly as their clear exposition will permit; and I earnestly invoke for them, in advance, your candid and favorable consideration.

I. Upon my first visit to America, in the year 1840, I submitted to the Congress of the United States a memorial, laying before that honorable body the outline of my system of International Exchange, and praying that its consideration might be referred to an appropriate committee, in order that such measures might be taken for its establishment as the committee, in its wisdom, should deem expedient. This memorial was presented on the 5th of February, 1840. It was referred to the Joint Committee on the Library, which brought in a favorable report, and the following resolutions, which were unanimously adopted by both Houses:

"1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Librarian, under the superintendence of the committee on the Library, be [authorized] to exchange such duplicates as may be in the Library for other books or works.

"2. That he [be authorized] in the same way to exchange documents.

"3. That hereafter fifty additional copies of each volume of documents, printed by order of either House, be printed and bound for the purpose of exchange in foreign conntries."

Encouraged by this liberal action on the part of Congress, I returned to France, in the expectation that the most flattering tokens of the appreciation by the American nation of the kindly feelings of the French would follow me, and afford substantial aid in my new labors, in consolidating my system on the other side of the Atlantic. But owing to the employment of the word "authorized," instead of "directed," in the resolutions, nothing was accomplished; and, after an absence of eight years, which were devoted to the collection of objects of exchange in Europe, to be distributed in America, I returned to the United States to secure, on a broader and more permanent basis, the establishment of the system.

I either transmitted, during my absence, or brought with me on my return, a vast collection of legislative documents, scientific works, objects of art, &c., all of which were presented as tokens of esteem, good will, and brotherly feeling, by the French Executive, the Chambers of Peers, and Deputies, by their excellencies the Ministers of Justice, War, Navy, Interior, Commerce and Agriculture, Public Instruction, Finances, and Public Works; by the City Council of the City of Paris; by the Academy of Sciences, the Academy of Moral and Political Science, and by the Museum of Natural History, as well as by the most distinguished statesmen, authors, artists, mechanicians, and private individuals of France, to the Congress; the Supreme Court of the United States; to the Departments of War, Navy, and Treasury; and to the States of Maine, Massachusetts, Vermont, Rhode Island, Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, South Carolina, Georgia, Ohio, Louisiana, Indiana, Michigan, Kentucky, and Texas; also to the United States Military Academy at West Point; to the cities of New York, Boston, Philadelphia, and Baltimore; and to the Universities of Cambridge, Brown's, Brunswick, and Waterville; to the Colleges of Burlington, &c., and, finally, to the National Institute of the United States.

Bearing with me, thus, these rich fruits of the intellectual labors of the best minds of the old world, so valuable to the new, and so substantial an evidence of the willingness of the Government and people of my own country to enter into an intellectual union with their brethren of America, I entertained the most sanguine expectations of success in the great undertaking to which I have devoted myself: and allow me to say, in advance, that those expectations have not been disappointed. The enlightened liberality of the statesmen and people of America, has recognized at once the great value of the plan, and has prompted a generous and hearty reciprocation.

On the 9th of February, 1848, I laid before Congress a second memorial, giving an account of the success of my labors during my absence; presenting the proofs of the favorable disposition of the Governments and leading minds of Europe towards the plan; assigning the reasons why their own resolutions, passed eight years before, had not been carried into effect, and praying—

"1st. That the law securing patent rights and copy rights may be so amended as to require all authors or publishers, taking out copy rights for works to be printed, to place in the depot of the central agency at New York, subject to the order of Government, copies of such work, in addition to the two copies now required to be deposited in the Library of Congress.

"2d. The enactment of a law, (accompanied by all necessary guards for the prevention of fraud,) admitting duty free all works and other objects addressed by the Governments abroad, through the general depot of exchange in Paris to the branch depot in New York, exclusively for the purpose of International Exchange.

"3d. That the resolutions heretofore passed by both Houses of Congress, in July, 1840, in the words following, (and which have hitherto remained a dead letter in the statute book,) be carried into full effect, viz:

"1. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Librarian, under the superintendence of the committee on the Library, be [authorized] to exchange such duplicates as may be in the Library for other books or works.

"2. That he [be authorized] in the same way to exchange documents.

"3. That hereafter fifty additional copies of each volume of documents, printed by order of either House, be printed and bound for the purpose of exchange in foreign countries."

"To effect this, it will be requisite to re-pass a similar resolution, substituting the words, "and is hereby directed and required," for the word "authorized," and also, by assigning a place of deposite for, or otherwise disposing of, the fifty copies ordered to be furnished for exchange.

"4th. That the above regulations be understood as applying exclusively to works of a scientific character, and promotive of intellectual improvement: works of a different description being allowed to seek the usual channels opened by those engaged in the book trade.

"5th. That duplicates of the objects of curiosity and scientific interest, brought home by the late Exploring Expedition, (so honorable to the intelligence and liberality of your Government and country,) be directed to be assigned, by those having official control of the objects so collected, for the purpose of being exchanged, on authorized demand for

them, for objects of a similar kind furnished by European Governments or learned bodies."

On the 4th of May, 1848, the Hon. Mr. Murphy, from the joint committee on the Library of Congress, brought in a report highly favorable to the petition of the memorial, and which closes with the following recommendation:

"In the views of the memorialists generally the committee are happy to concur. After the success which has thus far crowned his unwearied and voluntary labors, they think his expectations of aid from us have been justly formed, and should be promptly satisfied. They therefore recommend that the committee be authorized to establish such agencies, and organize such a plan of donation and exchange as they may deem best for this purpose; that all books sent to the Federal or State governments, to any departments, or libraries of either, to the academy at West Point, or to the National Institute, be admitted duty free: and that the sum of two thousand dollars be appropriated to enable the committee to carry the measure into effect."

A bill in harmony with these recommendations was reported, and on the 26th of June became a law:

"AN ACT to regulate the exchange of certain documents and other publications of Congress.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the joint committee on the Library shall appoint such agents as they may, from time to time, deem requisite, to carry into effect the donation and exchange of such documents and other publications as have been or shall be placed at their disposal for the purpose.

"SEC. 2. *And be it further enacted*, That all books transmitted through such agents for the use of the Government of the United States, or of any government of a State, or of its Legislature, or of any department of the Government of the United States, or of a State, or of the Academy at West Point, or of the National Institute, shall be admitted into the United States *duty free*.

"SEC. 3. *And be it further enacted*, That the sum of two thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and the same is put at the disposal of the Library committee, for the purpose of carrying into effect such donation and exchange, and paying the expenses already incurred in relation thereto.

"Approved June 26, 1848."

In accordance with the first provision of this act, I was appointed the agent of the United States for International Exchange, by the following resolutions:

"JOINT LIBRARY COMMITTEE OF CONGRESS,
"*July* 25, 1848.

"*Resolved*, That Alexander Vattemare he appointed agent to the joint committee on the Library to carry into effect the donation and exchange of such books and other publications as are or shall be placed at the disposal of the committee for this purpose, under the act 'to regulate the exchange of certain documents and other publications of Congress;' said agent to be, in all respects, subject to the directions of the committee.

"*Resolved*, That said Vattemare's agency shall extend only to exchanges between the United States and foreign countries or governments, and not to domestic exchanges.

"*Resolved*, That the Chairman draw from the Treasury, and place in the hands of the said Alexander Vattemare, fifteen hundred dollars, part of the sum appropriated by the said act, to be applied to his personal expenses already incurred, and to be incurred during the year ending 30th June, 1849, and to defraying the expenses of clerk hire, freight, rent of rooms, and other necessary expenditures of his agency; and that said agent shall annually account to and with the committee concerning the expenditure of said sum.

"*Resolved*, That said Vattemare be furnished, for the purposes of exchange, with the following works:"

[Here follows a list of the works presented.]

One of the most important features of the law above quoted is that which provides for the reception of all objects of exchange duty free. The heavy duties hitherto imposed have formed an important drawback upon the operations of exchange. To carry out this provision, and to prevent its being made the occasion of frauds upon the revenue, the Secretary of the Treasury has issued the following circular:

"*Circular instructions to collectors and other officers of the customs.*

TREASURY DEPARTMENT, *August* 14, 1848.

"Congress having, by the act, entitled, an act to regulate the exchanges of certain documents and other publications of Congress, approved 26th June, 1848, adopted the system of international exchanges, thereby manifesting a due appreciation of its importance and value, the duty devolves upon the department to aid in carrying out the intentions of Congress, by the establishment of such needful regulations as will, whilst facilitating this great enterprise, protect the system itself from abuse, as well as the revenue from any attempted frauds and impositions.

"It will be perceived that this act exempts from duty 'all books' transmitted through the agents appointed by the Joint Committee on the Library, 'for the use of the Government of the United States, or of any government of a State,, or of its Legislature, or of any department of the Government of the United States, or of a State, or of the Academy at West Point, or of the National Institute.'

"The Joint Library Committee of Congress, under date of the 25th July, 1848, in pursuance of the anthority vested in them by the beforementioned act, adopted, amongst others, the following resolutions, viz:

"*Resolved*, That Alexandre Vattemare be appointed agent to the Joint Committee on the Library, to carry into effect the donation and exchange of such books and other publications as are or shall be placed at the disposal of the committee for this purpose, under the act to regulate the exchange of certain documents and other publications of Congress;' said agent to be, in all respects, subject to the direction of the committee.

"*Resolved*, That the said Vattemare's agency shall extend only to exchanges between the United States and foreign countries and governments, and not to domestic exchanges."

"By the foregoing resolutions it will be perceived that the agency to conduct these exchanges, has been conferred upon Mr. Alexandre Vate-

mare, the author of the system, to whose talents, zeal, and indefatigable exertions, the civilized world is indebted for the conception and consummation of the system, destined, it is confidently believed, to realize all the benefits anticipated by its distinguished author and promoter.

"According to the suggestion of Mr. Vattemare, the central agency of this enterprise will be established at Paris, with subordinate agencies in the capitals of other States or countries uniting in the system. To prevent fraud and imposition, all documents and other publications transmitted to the United States must bear the stamp of the central agency at Paris, to be impressed in the case of books or pamphlets, on the *first* and *last* pages of the text of each volume; in the case of charts, maps, prints, &c., the stamp to be on some convenient place on the face thereof. The boxes or packages will be addressed to the care of the collector of the customs of the port in the United States to which they may be shipped, accompanied by a letter of advice and a descriptive list. On their arrival the collector is enjoined to take careful charge of the same, notifying the department of their receipt, and await instructions for their disposal.

"R. J. WALKER, *Secretary of the Treasury.*"

In addition to the law above given, which recognises the system, and provides for its support, Congress passed a number of joint resolutions, which are given below, setting apart for purposes of exchange a large number of important works:

"*Acts and resolutions of Congress in relation to international exchanges.*

"IN SENATE OF THE UNITED STATES,
"*April* 27, 1848.

"*Resolved*, That the Secretary of the Senate be authorized and directed to purchase one hundred copies of Hickey's edition of the Constitution of the United States, and to deliver the same, in the name of the Senate of the United States, to Mr. Alexandre Vattemare, of Paris, to be distributed by him in France according to his system of national exchange of books.

Attest: ASBURY DICKENS, *Secretary.*"

"RESOLUTION authorizing the presentation to the Governmennt of France a series of the standard weights and measures of the United States, and for other purposes.

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of State be directed to furnish to Alexandre Vattemare one complete series of the standard weights and measures of the United States, now in the Department of State, to be presented to the government of France, and that he furnish to the Joint Committee on the Library twenty-five copies of Little & Brown's edition of the Laws of the United States, to be disposed of by them for purposes of international exchange.

"SEC. 2. *And be it further resolved*, That seven copies of the *Exploring Expedition* now published, and an equal number of such of the works of the same as may hereafter be published, be placed at the disposal of the Joint Library Committee of Congress, for the purpose of international exchange. Approved June 30, 1848."

The large amount of correspondence necessary to the proper conduct of the system renders the postage a tax of considerable weight. The Senate, in order to give every facility to its operations, passed the resolutions which follows, granting the privilege of free transmission to all letters and papers relating to Exchange. This resolution was lost in the House, in the last hours of the session, by a few votes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Alexandre Vattemare, agent of the United States for international exchanges, be, and he is hereby authorized to frank letters or packages containing books, public documents, maps, specimens of the arts, or medals, sent to him from any foreign country to the United States, or from the United States to any foreign country; and, also, to receive letters and packages appertaining to international exchanges, free of postage; this privilege to extend to the mail lines of the United States to foreign countries: *Provided*," &c., &c.

It is hoped that the importance of this measure, will be so apparent upon the farther operation of the system as to secure its adoption by a future Congress.

An arrangement has been made with the Secretary of the Senate, and the Clerk of the House of Representatives, as well as with the various Departments of the Federal Government, by which a regular interchange of all official documents published by them shall be made, as fast as these documents are issued, for documents of the French Government. These documents will be transmitted by each steamer, and thus each of the two governments will be put in immediate possession of all the public proceedings of the other; a measure which cannot fail to produce the happiest results upon the legislation of both. In his letter complying with my request that this arrangement might be made with regard to the proceedings of the Senate, the Secretary, the Hon. Asbury Dickens, makes the following remarks:

"The judgment of the civilized world has sanctioned your scheme of international exchanges. Of that comprehensive work one of the most important branches is the prompt communication, among enlightened nations, of the proceedings of their several legislatures, and the documents connected with them. Each is thus enabled to profit early by the wisdom and experience of all.

"Between the two great republics of the Old and New World, more especially, should this mutual aid be active and complete. The measure in which you ask my co-operation is well calculated to make it so."

Liberal as has thus been the spirit in which the Federal Congress has received and acted upon the proposals for the establishment of an intellectual union between the old and new worlds, the various departments of the Government were in no respect behind them. All seemed to share in a generous rivalry of good feeling and substantial encouragement for the cause of universal peace. The following brief summary will give some idea of the action taken by the various departments of the General Government, in relation to the system of exchanges:

The DEPARTMENT OF STATE has contributed a collection of valuable books, among which may be mentioned a complete collection of Niles'

Register, and an immense number of the volumes of the local laws of the various States of the Union, &c., &c.

The DEPARTMENT OF THE TREASURY has added largely to the materiel of exchange by contribution of books, documents, circulars, &c., &c. Among these may be more particularly noticed complete collections of the documents on the Commerce and Navigation of the United States, many hundred circulars, collections of Tariff laws, and, in short, every thing relating to the business of the Department. In addition to these valuable contributions of books, the Secretary of the Treasury has rendered immense service to the system by the liberal manner in which he has interpreted and acted upon the law of Congress in the circular which has been already quoted. Besides this circular, which will so greatly facilitate the business transactions of the system, he has issued a second one, scarcely less important as a measure of convenience and economy; for the storage and forwarding of so great a number of large and heavy cases as must be constantly circulating in the channels of exchange, must form an item in the expenses of the system of no inconsiderable importance.

"TREASURY DEPARTMENT, *October 23d*, 1848.

"SIR: Referring you to the circular instructions from this Department of the 14th August last, in relation to the system of international exchanges proposed by Mr. Alexandre Vattemare, and adopted by the act of Congress 'to regulate the exchange of certain documents and other publications of Congress,' approved the 26th June, 1848, I have now to advise you that the port of New York has been selected as the depot from which the articles in exchange will be transmitted from the United States to France.

"You are accordingly authorized and directed to cause to be carefully kept in the *Atlantic dock stores* of your port, all such packages of books, &c., as may be sent under the Agency of Mr. Vattemare from any part of the United States destined for France, in exchange, until forwarded by Mr. Vattemare to their destination.

"Very respectfully, your obedient servant,

"R. J. WALKER.

"C. W. LAWRENCE, Esq., *Collector of Customs, New York.*"

The DEPARTMENT OF WAR, (under which is included the Military Academy of West Point,) has given more than 500 volumes of valuable military works.

The DEPARTMENT OF THE NAVY has made presentations of the greatest importance and value. Besides a large collection of books, maps, charts, and drawings, it has added models of vessels of every class, and of boats, specimens of arms, and a collection of all the varieties of wood employed in the construction of Government vessels.

The DEPARTMENT OF THE POST OFFICE has presented collections of its reports and circulars, and numerous maps of the post roads of the United States.

The PATENT OFFICE has contributed more than 500 volumes of reports and other works, together with drawings and specifications of a large number of the most important inventions patented during the past year.

The OFFICE of the COAST SURVEY has given six complete collections of the maps thus far made under its direction.

The preparation of weights and measures, voted by Congress, has also been made under the control of this office.

The OBSERVATORY has furnished numerous maps and charts, and works on meteorology, astronomy, and navigation.

The NATIONAL INSTITUTE has contributed a collection of scientific works.

The CITY OF WASHINGTON has presented a very handsome collection of books, the gift of the citizens of Washington to the city of Paris. The catalogue of these works is contained in a handsome pamphlet, printed at the expense of the city, and which also gives a full report of the proceedings of a public meeting of the citizens, called by the mayor, for the purpose of expressing the good will of the Federal Metropolis towards her sister city—the intellectual centre of the Old World. The books have been handsomely bound and inscribed, and form a gift truly worthy of the Capital of the American Nation.

From the foregoing statement, purposely brief, it will be seen that the system of Exchange has been received with the most gratifying unanimity of approval and encouragement by every branch of the Federal Government. It has been testified not only by munificent gifts, but by legal provisions which secure, on a firm and liberal basis, the future operations of Exchange. The States which have, and shall hereafter co-operate in its support may transmit the objects which they wish to exchange to the Custom-House at New York, with the certainty that they will there be safely kept, subject to the order of the Ageney; while, at the same time, the returns made from Europe will be received at the same depository, to await an order from their respective destinations. The Government has thus virtually constituted one of its own most important functionaries the agent for the safe-keeping and transmission of the material of Exchange. The effect of this measure upon the regularity and stability of the operations of the system are too obvious to need comment.

THE UNITED STATES MINT, at Philadelphia, has been directed, by the Secretary of the Treasury, to furnish a complete series of the coins of the United States, together with copies of all medals ordered by the Government. They are in return for a series of medals illustrative of the history of France, presented by the French Government to that establishment.

The AMERICAN COLONIZATION SOCIETY, though not connected in any way with the Government, may yet, with propriety, be mentioned here as a public establishment, having its business centre at the Federal Metropolis. The following letter from the Secretary of the Society will show the willingness of that Association to co-operate in the establishment of the system of Exchange:

"COLONIZATION ROOMS,
"*Washington City, September* 15, 1848.

"MY DEAR SIR: Being aware of the efforts which you are making to establish a system of National Exchanges, and desiring to contribute something towards so great and noble an object, I present herewith, in the name of the *American Colonization Society*, one set of the *African Repository*, its monthly publication, and of its annual reports, together with a map of Liberia, census, &c., for the Minister of Marine of your country, and another set for the library of the city of Paris. For these pub-

lications will be found a complete history of colonization as carried by this society on the western coast of Africa, which has already resulted in the establishment of the independent republic of Liberia.

"Thus, through your indefatigable efforts, any citizen of Paris or stranger visiting there, can make himself acquainted with the history and prospects of one of the noblest schemes of philanthropy and benevolence which mark the present age.

"The Republic of Liberia would doubtless be glad to participate in the benefits which you are bestowing upon mankind. It is true they as yet have no *books;* they, however, have two newspapers, which have been regularly published for several years; they have, also, a volume of their laws, published by authority, and from one of their own press. They have, also, great richness in their animal, vegetable and mineral kingdoms, and could doubtless furnish, in return for books, many objects of interest to your country.

"As every thing connected with Africa, and with the history of colonization in other parts of the world, is interesting and valuable to the members of our Society, any contribution of the kind which you may have in your power to collect for us will be most thankfully received, and you will thus add another to the many reasons which our countrymen have to cherish you in their memories.

"I am, dear sir, your very obedient servant,

"W. McLAIN, *Sec. A. C. S.*

"A. Vattemare, Esq., *Washington City.*"

In addition to the works mentioned in the above, were many others illustrative of the history of colonization, specimens of the fruits and woods of Liberia, &c., &c.

II. Having thus given a succinct account of all that has been done at the Seat of Government for the support and encouragement of the system of Exchange, the next branch of the report, as stated above, will be a consideration of the action taken by the State Legislatures upon the subject.

Maine.—During my first visit to America, I submitted a memorial to the Legislatare of the State of Maine, which was referred by that body to its Joint Committee on the Library, from whose report I beg leave to make the following extracts:

"The committee would recommend the passage of the resolves which are appended to this report. They propose in these to exchange the laws and resolves, and public documents, published by the authority of this State, for a similar return from France and other European governments."

* * * * * * * *

"The committee still further recommend, that a sum not exceeding one thousand dollars, be appropriated, to be expended in promoting a system of exchange between Maine and the Governments of Europe of the productions of natural history, the works of perfected art and of literature. The rich returns which will be derived by our country, whose institutions of science and literature are yet in their infancy, can hardly be appreciated or overrated."

The resolutions accompanying this report set apart, for the purpose of exchange, fifty copies of all the State documents, authorizing the Gov-

ernor to transmit them to the accredited agents of the system, and place at his disposal a sum of not more than a thousand dollars, "for the collection and exchange of original specimens of natural history and productions of usefel art."

Preferring that the system should be established upon a *permanent basis*, rather than have a brilliant beginning and a speedy death, I opposed so large an appropriation as the highest limit recommended by the committee, on the ground that it would afford a mark for the advocates of retrenchment, and thus jeopard the future existence of the plan. The Legislature, in accordance with this suggestion, finally determined upon an annual appropriation of three hundred dollars.

In July, 1847, after an absence of six years, I returned to the State of Maine, whose agent I had been appointed upon my first visit to America, and on the 22d of that month, the Governor, by a special message, invited the attention of the Legislature to the subject of my mission. The message was referred to the Joint Committee on the Library, which brought in a highly favorable report, and recommended the passage of numerous resolves, from which we select the following:

"*Resolved*, That while the expensive and useful books and documents with which M. Vattemare has been entrusted by various authorities and institutions in France, for the Library of this State, should be received with the respect due their intrinsic value and the distinguished sources whence they emanated, they possess much higher interest as tokens of the feelings of good will of the French nation toward America; and that we cordially reciprocate this sentiment, with a grateful remembrance of ancient obligations, and with the hope of a continued and increasing friendship between the two countries.

"*Resolved*, That duplicate copies of various works in the State Library (not otherwise required) be tendered M. Vattemare in continuation of the system of international exchanges so auspiciously commenced. The selections to be made under the supervision of the Secretary of State.

"*Resolved*, That one thousand copies of "Instructions on the best mode of collecting, preserving, and transporting objects of Natural History," be printed, under the superintendence of the botanic surveyor of the State, and distributed, under his direction, to those societies and individuals within the State that may aid in promoting the designs of said instructions; reserving to M. Vattemare the number of copies of the "Instructions" he may desire, for his own use."

The report of the committee, and all the proceedings of the government of Maine in relation to exchanges, have been printed in an elegant executive document, which reflects the highest credit upon her typographical skill and taste.

The whole action of this State has been in the highest degree honorable to her liberality and appreciation of learning and the arts, and has evinced the most praiseworthy anxiety to place within the reach of her people all the elements of increased cultivation and improvement which the literature, science, and art of the Old World can afford. It is hoped that arrangements will be made for securing the permanence of her appropriation for the support of the system, which will enable the agency to rely with confidence upon it as one of its constant means of support.

Vermont.—Early in November, 1847, in accordance with a previous notice, I visited Montpelier, to lay before the Legislature of Vermont an exposition of the system, and to request their co-operation. The Governor at once communicated the fact to the Legislature by a special message, in which he speaks of the benefits likely to result from the adoption of the system as "of the highest value," and such as "should commend it to the support of every intelligent and high-minded people." An address was delivered before the Legislature, explaining the plan, and giving an account of what had been done towards carrying it into operation. The message of the Governor was referred to the Joint Library Committee, which brought in an excellent and eloquent report, from which I beg leave to make the following extracts:

"The splendid specimens of art, and the gorgeous volumes exhibited in the State Library, (the presents of the French nation,) naturally suggest the inquiry, 'What can we give in exchange for things like these?' Your committee answer, almost in the words of the memorialist—all products of American genius, taste, industry, or invention—whatever serves to illustrate our history—our public documents and laws—the rich stores of nature herself—our plants, our animals, including quadrupeds, birds, reptiles, fishes, and insects—our minerals, specimens of our various kinds of wood, with the description, uses, and peculiarities of each—these would, from their very novelty, afford to the scientific men of Europe greater pleasure than the most costly book."

* * * * * * * *

"Several of our sister States have anticipated us in this enterprise, and already enjoy their reward in their public libraries, enriched by the productions of European genius, and in their public halls and gallaries adorned with the triumphs of ancient and modern art. What then shall be done by Vermont? Shall this massive and beautiful structure be the depository of treasures within, whose splendor shall surpass its architectural beauty? If we would become a people of refined taste and high endowments, and take rank with the most intelligent nations of the earth, now, and now only, is the propitious time to begin."

The resolutions accompanying this admirable report recommend that all duplicates in the State, not required by law to be preserved, be set apart for the purpose of exchange, and that five hundred copies of "Instructions on the best mode of collecting, preserving, and transporting objects of natural history," be printed for distribution.

The act which followed appropriated two hundred dollars for the support of an agent of Exchanges.

The wishes of the Legislature were fully carried out: a handsome collection of duplicates was placed in my hands, to be presented in the name of the State to European institutions.

Massachusetts.—It would swell this report far beyond the limits I have prescribed for myself, to dwell in minute detail upon the action taken by each State. I shall be obiged, therefore, to confine myself to as brief a statement as possible of their proceedings. The following resolves and accompanying letter will sufficiently explain the course adopted by Massachusetts:

"*Resolves to promote mutual Literary and Scientific Exchanges with foreign countries.*

"*Resolved*, That the Secretary of the Commonwealth, under the direction of his excellency, the Governor, be authorized to exchange copies of the State maps of Massachusetts, not exceeding twenty in number, and bound copies of the laws and legislative documents of the Commonwealth for the current political year, not exceeding fifty volumes of each, for books and other works of science and art from foreign countries, to be deposited in the Library of the General Court. And the Secretary is hereby authorized to cause fifty copies of each of the said documents, for every future year, to be printed, over and above the number, to be bound in volumes, and set aside for the purpose of effecting therefor said Exchanges hereafter.*

"*Resolved*, That his excellency, the Governor, be authorized to appoint some suitable person, residing in the city of Paris, France, to be agent of the Commonwealth, in transmitting to, and receiving from, the Secretary's office all such books, and other works of science and art, as may be addressed to his care, in pursuance of the object of the preceding resolve; and to audit and allow all reasonable charges of said agent for the receiving, packing, carriage, and exportation of said objects of Exchange; provided that the total sum so expended shall not exceed three hundred dollars.

"House of Representatives, February 26, 1845. Passed.

"SAML. H. WALLEY, Jr., *Speaker*.

"In Senate, February 27, 1845. Passed.

LEVI LINCOLN, *President*.

"February 27, 1845. Approved. "GEO. N. BRIGGS.

"*Secretary's Office, March* 15, 1845.

"A true copy. Attest: "JOHN G. PALFREY, *Secretary*.

MY DEAR SIR: I send you herewith a copy of resolves passed by our Legislature at its present session.

"I have it in charge from his excellency, the Governor, to say that he requests you to accept the appointment of agent under the second of the resolves, and that he has no doubt that this Commonwealth will derive important benefits from your enlightened and liberal exertions.

"I am, dear sir, with the highest regard, your friend and servant,

"JOHN G. PALFREY,

"*Secretary of the Commonwealth.*

"To A. VATTEMARE, Esq., *Paris, France.*"

RHODE ISLAND.—The letter of Prof. Jewett, which follows, gives a succinct statement of the action of this State:

"BROWN UNIVERSITY, *Providence, January* 29, 1846.

DEAR SIR: Your letter to the Governor has been received, presented to the Legislature, and referred to the committee on Education; the chairman of the committee, M. Goddard, formerly a professor in our college, presented a report, with resolutions, thanking you for your generous ex-

*According to this resolve, 150 volumes of Legislative Documents, 13 copies of the geological reports, 52 scientific reports, 20 maps, have been transmitted.

ertions, and particularly for your handsome presents, and voting several extra copies of all reports and documents published by the State, and authorizing the Governor to pay all charges that may occur for the packing up and transportation of said books, and any others to be sent to us from Paris, through your agency. This was carried through the House and Senate unanimously, and it is, I believe, the only question which has been decided unanimously in our Legislature for a long time.

"You will probably receive the report and the votes by this steamer, or the next.

"The Rhode Island Historical Society have also passed votes of thanks and resolutions in favor of your project, which you will receive soon.

NEW YORK.—On the 25th of October, 1847, the Joint Library Committee of the two Houses, to which was referred the message of the Governor, the communication of the Trustees of the State Library, and other documents relative to the system of international exchanges, brought in a report, in which after commenting in the most approving terms upon the system, and showing the rich fruits to be anticipated by the State and the country from its establishment, they recommend the passage of the act accompanying the report, in the following remarks:

"It seems, to your committee, proper that some testimonial more substantial than mere words of kindness and approbation should be afforded to this enterprise—that, in order to secure the future success and *permanency* of the system, some suitable person in Europe should be appointed, as the agent of this State, in transmitting and receiving all such books and other works as are intended as subjects of International Exchange.

"For that purpose, as well as for facilitating and encouraging the interchange between the several States of the American Union, your committee recommend to your consideration the bill, a copy of which is hereto annexed, marked A. An appropriation of five hundred dollars, for the promotion of these objects, was made by this State in the year 1846. (See Session Laws of 1846, p. 479.) The States of Maine and Massachusetts have, since the year 1844, made an annual appropriation of three hundred dollars each, for the support of the agency in Paris only. These sums, though in themselves small, will, if appropriated by all the States and Governments with which M. Vattemare has opened his system of interchanges, it is supposed, be sufficient to defray the expenses of the agency, together with the innumerable incidental expenses of the system, and secure to it a permanence which will ensure its entire success."

[A.]

"AN ACT to provide for the support of the System of International Literary and Scientific Exchanges.

"*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

"§ 1. The Governor, by and with the advice and consent of the Senate, shall appoint some suitable person, residing in Europe, to be the agent of this State in transmitting to and receiving from this State all such works as are intended as subjects of International Exchange.

"§ 2. The sum of one thousand dollars is hereby appropriated, to be paid out of the Treasury, on the warrant of the Comptroller, to the Regents of the University, to be by them applied in defraying the expense of such agency, and in such other manner as they shall deem best for the promotion of the System of Literary and Scientific International Exchanges, founded by M. Vattemare, and exchanges between this State and the other States of the Union.

"§ 3. The further sum of six hundred dollars, to be paid as aforesaid, in each of the years 1848 and 1849, is hereby appropriated for the same purpose.

"§ 4. This act shall take effect immediately."

NEW JERSEY.—The committee on education of this State, on the 21st of January, 1848, submitted a report, in which they dwell with great force upon the moral advantages of the plan, and conclude in the following words:

"These Exchanges are calculated to produce a two-fold benefit. On the one hand, they will impart and extend a knowledge of our country, where it is now comparatively unknown; and, on the other hand, excite and increase in our land, and among our own population, a spirit of inquiry, and desire of more perfect information as to what other nations are accomplishing in the varied walks of science, literature, and art, which may bring forth the good fruits of wholesome emulation and amicable rivalry.

"Entertaining these views, your committee recommend for adoption the following joint resolution:

"*Resolved by the General Assembly of the State of New Jersey*, (*Senate concurring*,) That the Secretary of State be directed to present to M. Vattemare, and through him to the Chamber of Deputies and the Minister of Commerce and Agriculture of France, the thanks of the Legislature of the State of New Jersey, for the valuable present of books made by them to this State, and, as a slight return for the same, that M. Vattemare be presented with copies of our State documents and laws, together with such other books which may throw light upon the history and resources of our State, as your committee shall select from the Library of the State, to be distributed by him in such manner as he may think best calculated to effect the object of his important enterprise."

The joint resolutions adopted by the Legislature are as follows:

"*Joint resolutions relative to* M. A. VATTEMARE'S *system of International Literary and Scientific Exchanges, and to provide for the support of an agency at Paris, in France.*

"1. *Be it resolved by the Senate and General Assembly of the State of New Jersey*, That the sum of three hundred dollars be and the same is hereby appropriated to defray the expense of an agency in the city of Paris, in France, for the purpose of receiving and transmitting such works as may be made the subject of international exchanges.

"2. *And be it resolved*, That the Governor of this State be and is hereby authorized to appoint some suitable person as agent for the State of New Jersey at the city of Paris, in France.

"3. *And be it resolved*, That the said sum of three hundred dollars be transmitted by the Secretary of State, whenever officially informed that

such agency has been duly established; and that the said agent be requested to report, semi-annually, to the Governor of this State, of all his transactions and proceedings relative thereto."

PENNSYLVANIA.—My first application to the State of Pennsylvania was made on the 10th of April, 1848. Although it was the last day of the session, I was received and heard with the utmost kindness, and the following handsome preamble and resolutions unanimously adopted:

"*Resolutions relative to International Exchanges, proposed by Alexandre Vattemare.*

"WHEREAS, Monsieur Alexandre Vattemare, a citizen of the Republic of France, having patriotically devoted his time, talents, and fortune, for a period of twenty years, to bring about and perfect a system of International Exchange of specimens of natural history and works of science and art between the different nations of the world;

"AND WHEREAS, said Monsieur Alexandre Vattemare having presented to the Commonwealth at various times, since the year 1843, a large number of rare and valuable works, which have been deposited in the State library;

"AND WHEREAS, said Monsieur Alexandre Vattemare having, at the request of the Pennsylvania delegates in the House of Representatives in the Congress of the United States, visited the capital of this Commonwealth for the purpose of conferring with the Legislature and officers of the government in reference to the most expedient measures to be pursued in furtherance of his most praiseworthy and important enterprise;

"AND WHEREAS, the present session of the Legislature being about to expire, it is impracticable for it at this time to take such part in the consideration of the question as it otherwise would take great interest and pleasure in doing; therefore,

"*Be it resolved, by the Senate and House of Representatives in General Assembly met, and it is hereby resolved by authority of the same*, That the Governor and Secretary of this Commonwealth be and they are hereby authorized and requested to confer with said Monsieur Alexandre Vattemare, during the recess of the Legislature, upon the subject referred to in the preamble to this resolution, and to adopt such measures as they may deem most expedient to carry out the object in view, and report thereon to the next session of the Legislature.

"WILLIAM F. PACKER,
"*Speaker of the House of Representatives.*
"WM. WILLIAMSON,
"*Speaker of the Senate.*

"Approved the tenth day of April, one thousand eight hundred and forty eight. "FRS. R. SHUNK."

DELAWARE.—The Governor of Delaware, in a letter dated January, 1848, expresses his intention to "lay the plan before the next Legislature, (in January, 1849,) with the expression of (his) cordial approval," and promises to give to the promotion of my views not only the influence of an official recommendation, but the weight of his personal sanction.

MARYLAND.—At the December session of the Legislature, in 1841, the State Librarian made a report, in which he recommended the adoption of the system of Exchange; and on the 10th of March, 1842, the following resolution was adopted:

"*Resolution of the General Assembly of Maryland, passed March* 10, 1842.

"No. 11. *Resolved by the General Assembly of Maryland*, That fifty copies of the laws, public documents, and journals of the Senate and House of Delegates, of the number annually printed for distribution among the several counties and Howard district of this State, shall be, and the several printers to the Legislature are hereby authorized to deposit the same in the State Library for the purpose of exchange in foreign countries; that the Librarian be and is hereby authorized and required to have the same bound, and to transmit the above extra copies of the laws, public documents, journals of the Senate and of the House of Delegates, together with such surplus books, now remaining in the Library, as the Joint Committee on the Library may direct, to the agents of foreign countries in the United States authorized to receive the same for the above purpose."

On the 9th of March, 1844, the following resolution was adopted:

"*Resolution, passed March* 9, 1844."

"No. 53. *Resolved by the General Assembly of Maryland*, That, for the purpose of carrying into effect the resolution of December session, 1841, No. 11, directing the Librarian to perform certain duties, that his Excellency the Governor be authorized to pay, out of any unappropriated money in the treasury, such sums of money as may be necessary, under the said resolution, to defray the expenses incurred in the exchange of surplus books, documents, &c., with the agents of foreign countries, as may from time to time be authorized by the Joint Committee on the Library."

VIRGINIA.—On the 5th of April, 1848, the Governor of Virginia addressed to me a communication, from which I beg leave to make the following extract:

"EXECUTIVE DEPARTMENT,
"*Richmond, Virginia, April* 5, 1848.

"DEAR SIR: You will receive, herewith sundry resolutions of the General Assembly of Virginia, adopted on the 23d of March, 1848, in which that body, expressing the sentiment of Virginia, approve your 'noble design,' applaud the spirit which conceived, and the enthusiasm which has achieved it, and tender you the agency for this State for the purpose of sustaining and continuing it."

The resolution accompanying this letter were the following:

"WHEREAS, The Legislature of Virginia regards with interest the noble design of a national interchange of productions of art, science, industry, and natural history, projected by Mons. Alexandre Vattemare, and patronized with such magnificence by the French Government, and is desirous of contributing to a work so important—

"*Resolved by the General Assembly*, That the spirit which has conceived this design is as admirable as the disinterested enthusiasm which has

achieved it, and that this Legislature, as a testimonial of its appreciation of the character and services of its distinguished author, hereby invite him to visit the halls of Legislature during the session of the Legislature, and hereby tender to him the appointment of agent for the State of Virginia for conducting the exchange of such subjects as may be presented by Virginia to France.

Resolved, That the Legislature has learned with gratitude that France, of whose prosperity we always hear with pleasure, and in whose misfortunes we always sympathize, has presented to Virginia literary works of a rare, useful, and costly character, for which it is incumbent to make some return, even if inadequate.

"*Resolved*, That the State Librarian be instructed to forward to the agent of International Exchanges such copies of the Code and of the Law Reports, of the Journals and other Legislative Documents, or other works, as may be spared without detriment to the library. He shall forward such reports of the moral, social, and political statistics of Virginia, as may tend to diffuse amongst other nations a correct knowledge of her institutions, her condition, and her capacities; that he shall likewise forward any private donations intended for the department of International Exchanges; and that he be required to report annually to the Joint Committee on the Library."

INDIANA.—The following letter from the Governor of this State, with the resolutions which accompany it, will show the highly liberal course which she has pursued in relation to exchanges. I ought to add that all the proceedings of her Legislature upon the subject have been printed together in an executive document which for typographical beauty would do credit to the oldest State in the Union:

"INDIANAPOLIS, *Indiana*, *March* 2, 1848.

"DEAR SIR: Your letter, and the accompanying documents with which I was favored, were duly laid before the Legislature of this State at its last session, with a recommendation of your proposed system of International Literary Exchange. In accordance with my expressed wish, a joint resolution was passed by that body, a copy of which I take pleasure in enclosing to you; the terms of which, although not as liberal as could have been desired, yet, in the present condition of the finances of the State, it is hoped may prove satisfactory.

"I gladly avail myself of the occasion to repeat the invitation extended to you by the General Assembly, to visit this place, at such time as may suit your convenience, for the purpose indicated in the enclosed joint resolution.

"That you may succeed in your laudable public-spirited enterprise beyond your most sanguine expectations, and that your life may be spared until you reap a well-merited reward for the time, labor, and talent which you have so generously bestowed upon it, is my fervent wish.

"I am, dear sir, very respectfully, your obedient servant,

"JAMES WHITCOMB,
"*Governor of Indiana.*

"UNITED STATES OF AMERICA.

"STATE OF INDIANA.

"*A Joint Resolution relative to International Literary Exchanges.*

"*Be it resolved by the General Assembly of the State of Indiana*, That the duties devolved on the Secretary of State by a Joint Resolution, approved January 15, 1844, and also a Joint Resolution approved January 27, 1847, both in relation to International Literary Exchanges, be, and the same are hereby, devolved on the State Librarian, who is directed to fit up, in the State Library Rooms, all necessary shelves and cases for the reception and safe-keeping of such Exchanges as shall be presented to the State; and who shall also, in his annual report to the General Assembly, make a separate and detailed statement of their extent and condition.

"*Be it further resolved*, That Alexandre Vattemare, who projected said system of International Exchanges, and is now in the United States, with the view to its more perfect development and general adoption, is justly entitled to the thanks of the General Assembly and the people of Indiana, for his exalted and untiring efforts in establishing for them a direct intercourse with the minds and hearts of Europe, of which valuable fruits have already been tendered to the State; and, in testimony of their appreciation of his eminent services, the said Alexandre Vattemare is hereby invited, by the General Assembly, to visit the capital of Indiana at his earliest convenience, for the purpose of conferring with the Governor in relation to his system of Exchanges, and the best method of rendering it permanently subservient to the welfare of the State; and the Governor is hereby authorized to adopt any and all arrangements, within the means granted by this resolution, as will most effectually and amply accomplish the object in view.

"*Be it further resolved*, That Alexandre Vattemare is hereby constituted the agent of this State in effecting International Exchanges with such governments, public institutions, and cities of Europe, as shall adopt his system; and for the necessary expenses to render such agency permanent and effectual, an annual sum, not exceeding four hundred dollars, is hereby appropriated to be paid out of the treasury on warrant of the Auditor of State, who shall issue the same on the certificate of the Governor that the amount certified has been properly expended.

"*Be it further resolved*, That there shall be annually printed and bound fifty extra copies of all laws, resolves, journals, and legislative documents, which shall be especially set apart for International Exchanges; and the Governor and State Librarian are hereby authorized to select such duplicate works in the State Library as can be spared, to be used for the same purpose.

"*Be it further resolved*, That the instructions on the best mode of collecting, preserving, and transporting objects of natural history, which were communicated with the documents accompanying the Governor's special message, be added to the documentary journal, and that five hundred extra copies be printed for distribution, under the direction of the Governor, with such other documents as he shall deem useful and proper.

"*Be it further resolved*, That the Governor be requested to communicate a copy of this Joint Resolution to said Alexandre Vattemare.

"WILLIAM A. PORTER,
"*Speaker of the House of Representatives.*
"PARIS C. DUNNING,
"*President of the Senate.*

"Approved February 12, 1848.

"JAMES WHITCOMB."

MICHIGAN.—On the 12th of March, 1844, the following preamble and resolutions passed the Legislature of Michigan:

"*Preamble and Joint Resolution relative to Mons. Vattemare's system of International Literary Exchanges.*

"WHEREAS, Mons. Alexandre Vattemare, a citizen of France, has, with an unexampled zeal, devoted his time, his energies, and his fortune, to the philanthropic effort of establishing an intellectual confederacy among the nations of the earth:

"AND, WHEREAS, his system of International Literary Exchanges is not only promotive of science and the improvement of literature and the arts, but is also conducive to the fraternization of governments, and the diffusion of civilization throughout the globe:

"AND, WHEREAS, the project has been approved by the Chambers and Ministers of France, by the Congress of the United States, and the Legislatures of several of the States, and by the statesmen and literati of both nations—

"*Be it therefore resolved by the Senate and House of Representatives of the State of Michigan*, That in grateful acknowledgments of his disinterested labors in the cause of humanity, and for the valuable works presented by him to the State, the thanks of the people of Michigan are respectfully tendered to Mons. Alexandre Vattemare by the Representatives of the people in Legislature convened.

"*Resolved*, That his Excellency, the Governor, be, and he hereby is, authorized and requested to receive the parcel of books transmitted by Mons. Vattemare, through Lewis Cass, Jr., Esq., to the State of Michigan, and also the parcel consigned to E. Thayer & Co., forwarding merchants in the city of New York, and to place the same in the State Library.

"*Resolved*, That his Excellency be, and he hereby is, further authorized and requested to transmit to Mons. Vattemare a copy of the revised statutes and session laws of the State of Michigan, together with the journals and documents of both Houses of the Legislature, and such maps of the several counties as are now completed.

"*Resolved*, That the State Geologist be, and hereby is, authorized and requested to examine and report to the next Legislature what duplicate specimens of the natural history of Michigan are in his department of the University.

"*Resolved*, That our Senators in Congress be instructed, and our Representatives be requested, to use their best efforts to obtain the appointment of Mons. Alexandre Vattemare, as an agent of the General Government, to act in behalf of this State, with power to conduct Literary Exchanges between France and the United States.

"*Resolved*, That his Excellency be, and he is hereby, requested to transmit a copy of these Resolutions, and the report of the committee on education, to Mons. Alexandre Vattemare, and to each of our Senators and Representatives in Congress.

"EDWIN N. LOTHROP,
"*Speaker of the House of Representatives.*
"EDWIN M. CURT,
"*President of the Senate, (pro tem.)*

"Approved March 12, 1844.

"JNO. S. BARRY."

III. Wide as is the field which the system of International Exchanges proposes to occupy, it is a simple scheme which may be grasped by the intelligence of a child. It is a plan which is designed to give to the intellectual treasures of the civilized world the same dissemination and equalization which commerce has already given to its material ones. By means of the agency of commerce, all productions which can administer to the support, comfort, or enjoyment of human life, which exist in superabundance in one quarter, are transported to another, so that every nation enjoys all that can be found in every other. The American gentleman is indebted for the luxuries upon his table, the elegancies of his dress, and the splendor of his drawing room, to every quarter of the globe. The system of exchanges propose to go one step farther. It has for its comprehensive design to place at the disposal of every nation all the sources of intellectual culture and of refinement of taste which are possessed by the most favored of its fellows; and to accomplish this desirable object by means which shall open, foster, and cement relations of amity and good fellowship between the parties concerned.

I am aware that a plan somewhat similar has long been in operation with regard to particular institutions and particular departments of human knowledge. Science has long acknowledged the importance, the indispensableness of such a course to the rapid advance of its great interests, and scientific bodies throughout the world are in constant receipt of the published proceedings and papers of their co-laborers in the great cause. Its incredible progress, and the splendid results which everywhere surround us, and form the crowning glory of our age, are a sufficient testimonial to the wisdom of this unity of action. Yet even these exchanges have sought the ordinary channels of trade, and have been subjected to all the interruptions and burdened with all the taxes which encumber it.

The system of exchange does not propose to interfere in any way with any similar plan already in operation. Its main design is to open a channel of communication between the PEOPLE of the various nations of the world, which shall bring them together upon the neutral ground of letters, and by making them better acquainted with each other's laws, manners and customs and intellectual wealth, by acts of mutual kindness and courtesy.

Extensive business arrangements are necessary to carry out the plan. It was proposed to establish in the United States a central depot, to which all objects of exchange can be transmitted to be shipped to foreign countries, and where all returns from abroad may be received and sent to their respective destinations in America. It will be seen, by reference

to the two Treasury circulars before quoted, that this depot is, by the official act of the Treasury Department, established at the New York Custom House.

In connection with this depot will be a similar one in Paris, through which all exchanges are to pass. The depot in Paris will also be the seat of the GENERAL AGENCY, which will have the management of all the business of exchange, where all the responsibility for its faithful conduct will rest, and to which all subordinates will be accountable. The GENERAL AGENCY will employ subordinate agents in the capitals of all the nations and States which unite in the support of the system, who will be paid by it and report to it; these agents will be charged with the receipt and transmission of all objects of exchange, and all the transactions of the general agency with their State or Nation, will be conducted through them.

Such is, in brief, an outline of the *machinery* which it is in contemplation to employ. The necessity for it will be apparent from a few obvious considerations which I have already urged in a commuuication which I had the honor to submit to the Joint Committee on the Library of Congress during the past session, from which I beg leave to make the following extract:

"In the conduct of a system involving such a number of multifarious operations, *unity of action* is the first of all the conditions of success. A single establishment, ramifying itself by means of its agents wherever its operations demand its presence, must be made the responsible head, from which all the transactions of Exchange throughout the world are to be controlled and directed, and where all accountability is to rest. Division of this responsibility would lessen its force, and would take away the necessary guaranty for the faithful execution of the trusts imposed.

"With this view, and in accordance with the united opinions of the ablest men and the first scientific bodies of both continents, Paris has been selected as the seat of a CENTRAL AGENCY, having collateral branches in the capitals of the several States who unite in the support of the system. It will form the great heart—receiving from all quarters, and transmitting to all, the intellectual life-blood of the nations—their literature, science, and arts. All the agents of the system will be reponsible to the Central Agency, and it, in its turn, will be responsible to the nations which make it the channel of their exchanges.

"For the support of this Agency, an estimate was submitted to you several months ago, which I beg leave to recapitulate here:

"For one chief clerk, - - - - -	$ 1,000
" one assistant, - - - - -	450
" two messengers, - - - - -	400
" agents, resident at capitals of States, - -	3,000
" publication of quarterly report, - - -	2,000
" rent, &c., of office, - - - -	400
" travelling expenses, - - - -	1,500
" incidental expenses, - - - -	1,500
Total, - - - - -	$10,250

"The report referred to in the above estimate is one of the most important features of the plan, as it offers the most certain guaranty for the

faithful expenditure of the funds appropriated for the support of the system, as well as for the proper distribution of the books, and other articles of exchange, entrusted to its care. It will exhibit, in the minutest detail, not only the pecuniary accounts of the Agency, but the disposition made of every article that passes through its hands, so that every institution and every individual who shall have contributed even the smallest pamphlet for purposes of exchange, will be able to ascertain at once whether it has been faithfully transmitted to its destination. The system of accountability will thus be rigid and complete. The report, while thus operating as a salutary check upon agents disposed to be unfaithful, will serve the further, and not less useful, purpose of furnishing to the institutions of the various countries connected with the plan, the means of ascertaining what each might obtain from the other, and where the objects desired could be procured. The operations of the system have not unaptly been compared to the circulation of the blood: this particular feature of it will correspond to the function of *nutrition*, which enables each part to appropriate whatever is best adapted for its own nourishment and growth.

"Of the sum required for the support of the Agency, $2,300 have already been secured by the legislative appropriations of various States, viz:

"By the State of	Maine, - - - -	$300
" "	Massachusetts, - - -	300
" "	Vermont, - - - -	200
" "	New York, - - -	400
" "	New Jersey, - - -	300
" "	Indiana, - - - -	400
" "	Virginia, - - - -	400
		$2,300

Add to this the sum appropriated by the Federal Government, ($2,000,) and we have a balance of but $5,950 to be secured from the twenty-three other States which have not yet acted on the subject. The interest everywhere manifested throughout the Union in the success of the system, warrants me in the expectation that, not only the fourteen other States which have already opened communications with me on this subject, in terms favorable in the highest degree to the design, but every State in the Union will cheerfully contribute towards the support of the Central Agency at Paris."

It will be seen from the statements in the above extract that the sums asked of the various States are exceedingly small, yet they will be still farther diminished when the system has once been put in full operation and all its transactions reduced to perfect regularity. Trifling as these sums individually are, the aggregate of them forms the working capital of the system, and hence the indispensable necessity of their being made *permanent*. The sole object of asking them at all is to secure the permanence of the relations which the system of exchange has already been so successful in establishing between the civilized nations of the world; relations, the importance of which cannot be diminished by time. I have therefore most respectfully, but most earnestly, to request that some measure may be recommended to the legislature of your

State, calculated to place the annual appropriation beyond the reach of those causes which might operate temporarily to interrupt it. Thus the CENTRAL AGENCY would be enabled to found its expenses upon a perfectly safe basis.

In France, an old country, with a dense population, where the business relations of men are marked by a permanence and solidity which the circumstances and wants of a new country forbid, it would be impossible for me to secure the services of such men as the duties of the agency will require, unless I had it in my power to offer them the surest guaranties of the certainty and permanence of the means upon which I rely for their remuneration. I trust the importance of these considerations will lead to such action on the part of the various States, whose agent I have the honor to have been appointed, as will relieve my mind from all anxiety on the subject.

A brief notice of the advantages which may reasonably be expected from the full realization of the system of Exchange will close this report, which I fear has already extended beyond the limits which I ought to have set to my demands upon your patience.

To America, it is believed that the increased knowledge and appreciation of her intellectual wealth and resources, which must result from the wide dissemination of her products of mind throughout the civilized world, would be more than a full remuneration for a hundred times the expenditure which is necessary to secure it; if, indeed, any pecuniary estimate is not wholly out of place in calculating the value of such appreciation. It is a lamentable fact that the United States does not occupy that high place, in European estimation, to which her social and national position entitle her. She is either seen through the distorted medium of a foreign press, or judged from the narrations of ignorant, prejudiced, or mercenary travellers, who visit her shores merely to discover such faults and foibles as will enable them to make a saleable book. Had the people of Europe an opportunity of learning your wise and salutary laws; the peaceful, yet powerful working of your free Government; your admirable institutions for the punishment of vice, and the relief of honest poverty; the freedom of your religious views, and the universal means of education which you possess; your public works and public press, rivalling each other in public benefit; your immense natural resources, and the enterprising industry of your citizens; could this knowledge but be diffused, Europe would at once be forced to respect and admire you for other than military or commercial triumphs, and feel proud that your continent was peopled by her sons.

One great step towards the spread of the knowledge of America and her institutions in Europe, has already been made by the system of Exchange, in the formation of AN AMERICAN LIBRARY in the city of Paris. This library is already in existence, and contains a highly valuable collection of American books, constantly increased by the large transmissions which American liberality is constantly enabling me to make to it of the richest productions of the national mind. In the hall of this Library, each State of the American Union has an alcove expressly appropriated for the reception of its contributions, each severally distinguished by its name, arms, and the date of its incorporation, so that the thousands of Frenchmen, and foreigners of every nation, who visit the Hotel de Ville

weekly, must, per force, become better acquainted with the history and genius of your glorious country. I appeal to American patriotism to aid me in making this library a worthy monument to the intellect and liberality of the Nation.

The advantage to the book trade which must be derived from having copies of the best American works placed in the great Government Libraries of Europe, acting as a standing advertisement of the publishers and authors, is too obvious to require that it should be more than hinted. The same remark will apply to important American inventions. The American patentee could not be robbed of his right in, or the credit he deserves for, a useful invention, if the drawings, specification, and model were deposited in a foreign patent office as the evidence of his claim. This view was taken by the present able and liberal head of the U. S. Patent Office when he placed in my hands copies of the specifications and drawings of the most important inventions patented during the past year, to be presented to the Minister of Commerce and Agriculture of France.

The operations of the GENERAL AGENCY, when once it is fully established, may gradually, and with great advantage, be extended so as to embrace objects collateral to its main design. Statistical information of every kind may seek that channel for dissemination, and as an object directly in line of its chief purpose—to promote international good will—a bureau might eventually be engrafted upon it which should be charged with the interests of emigrants, furnishing them with every species of information in relation to the region to which they propose to remove, the price of land and labor, its sanitary condition, the expenses of transportation to it, the articles most necessary for their comfort, &c., &c. Artisans might be directed to the point where their labors would be most likely to meet with reward, and the honest and deserving be furnished with certificates which should secure for them a welcome and good treatment upon their arrival. I merely hint at these things to show that the system contains within itself elements of usefulness which are yet undeveloped.

The encouragement which it affords to the formation of new libraries and museums is among the prominent benefits promised by the system. It contemplates, as one of the most certain elements of its own permanent success, the establishment, in every quarter of the world, of free public libraries and museums, ever open to the use of the people. For the founding of such institutions peculiar inducements and facilities are offered by the system of Exchange. It gives a new and enhanced value to objects which were before, on account of their abundance, disregarded in their own peculiar locality. The laws, reports, and all the legislative documents of governments, assume, as the circulating medium of exchange, a value far beyond their cost, and will ensure returns of priceless works which could be obtained in no other way; and yet these documents are often stowed away in garrets as useless rubbish, or sold by the pound as waste paper. In addition to these, the town, city, or State, desirous of founding a library, has, in its specimens of natural history, its animal, vegetable, and mineral productions, an almost exhaustless fund, convertible, through the instrumentality of Exchange, into books and works of art. Thus a very limited expenditure of money will produce results of the highest value.

Every State in the American Confederacy, I believe, has, at its capital, a collection of books known as the State Library. In most of them, however, the works are chiefly of a legal and political character, intended almost exclusively for the use of the legislators during the session of their body. In the intervals between the sessions, the library is only occasionally open, and, even if open all the time, would be of little benefit to the mass of the public, who either feel no interest in, or are not prepared to understand the subjects to which the works are mainly devoted. Science, general literature, and the fine arts, have no place among them; and literary men, and the reading part of the public, do not make these libraries places of resort for literary relaxation, or for severer study. There are doubtless exceptions, but such is the general character of these institutions.

Now, this might very readily, and with the most desirable results, be changed. The resources of exchange, liberally employed, added to a very moderate annual appropriation, judiciously applied, would build up in your State capitals, libraries which would be just sources of pride, and afford, moreover, invaluable means of reference to scholars, and of cultivation and improvement to the whole people. There could be no spirit of exclusiveness in such institutions; each man would feel that he was enjoying the advantages which he had himself aided to procure, and that he and his children might freely avail of them without fear or favor. This would be a true intellectual democracy—the best books, selected to suit the wants of all classes and professions, *freely thrown open to the use of all*. With reference to Exchanges, such a library would be the most proper channel through which the business should be conducted—the appropriate seat of the STATE EXCHANGE AGENCY. It would open an account with the institutions of the State desirous of partaking of the advantages of the system, and with the national central depot, and thus be put in relation with the whole scientific and literary world.

A liberal system of domestic exchanges—each State setting apart for the libraries of each of her sister States, copies of all the public documents, of every description, published by her authority—would make each of the State libraries a depository of the complete materials for the history of every State in the Union, and thus the liability of important public historical records to loss or destruction would be diminished thirty fold; while the lights they throw upon legislation would be placed in possession of legislators in every portion of the country.

Let the means which have been hinted be judiciously used, and the STATE LIBRARIES of America will, ere long, in extent and usefulness, equal any similar institutions in the world.

Great as undoubtedly are the advantages which have already been suggested as likely to flow from the general adoption of the system of Exchange, yet it would be deprived of by far its greatest claim to the support of the wise and good, but for its important moral bearings. It is chiefly, as it tends to open between the people of the various nations of the world an intercourse of kindness and courtesy, to throw down the barriers of national prejudice, and cultivate a spirit of national peace and good will, that it appeals to the sympathy and encouragement of the patriot and philanthropist.

To employ the eloquent language of a report made by a committee of the Common Council of the city of New York:

"Hitherto the intercourse of nations has hardly transcended the jealous boundaries of mere interest and of diplomatic etiquette. Ambassadors have been interchanged, and treaties negotiated to prevent encroachment on either side, to regulate the trade, and to protect the citizens of the contracting parties. Even friendship in such cases has always taken care that the clang of the warlike sword should be heard in the embrace of peace, and that the grasp of amity should ever be given with the mailed hand. There is no instance of national relations, as your committee believe, in which the greatest care has not been taken lest the one might obtain some advantage over the other. But to the system of exchange is due the honor of introducing a higher and nobler spirit into national intercourse. It has conceived, and introduced into practice, the idea of true friendship between the great branches of the human family—of a friendship which aims at mutual benefits, rather than at self interest—which has no suspicion and no jealousy—which gives and receives without carefully inquiring into values or calculating profits—which, while it is eminently peaceful and beneficent, holds in reserve no means of hostility, and no threats of war. Like the mysterious wires which stretch almost from one end of the continent to the other, annihilating distance, and making all places through which they pass to be like one place, so these mutual gifts are destined to remove the barriers of antagonistic nationality, and render the nations of the earth as they should be, one united family."

The united voice of hundreds of the greatest and best men of your country might be added to this glowing testimonial, but I can only allow myself to subjoin the following:

From the Hon. George M. Dallas.

"This conception of M. Vattemare's, of such simplicity in execution, and of such enlarged philanthropy in results, is realized; its practical effects are seen, felt, appreciated; and, throughout civilization, the generous and wise cannot fail to establish and cultivate so certain a source of mental improvement, and so strong a bond of mutual respect and peace."

From the Hon. John Y. Mason.

"In such exchanges the friends of free government may anticipate rich rewards. In this enlightened age such acts of national comity are calculated to strengthen the bonds of friendship, and promote offices of good will and kindness between nations, not likely to be sundered or forgotten, by making the people of each better acquainted with the institutions, the laws, the arts, sciences, and letters of the other."

From the Hon. Edmund Burke.

"This noble enterprize, which owes its origin to your devotion, enthusiasm, and persevering energy, will mark a new era in civilization. Nations, by interchanging the rich treasures of intellect, science, and art, will cultivate towards each other sentiments of mutual respect, sympathy, and good will; and thus will they learn to suppress those bad passions and vices which lead to contention, hostility, and bloodshed, and which have scourged and afflicted the world with sanguinary and desolating wars. To achieve so great a victory over the passions and vices of men

and nations by such noble means will be the proudest of human triumphs."

From the Hon. Franklin Pierce.

"That which was formerly only a figure of speech, will now be a substantial reality, and the scientific and literary union of nations, which your efforts have effected, will consolidate 'the republic of letters.'"

I have thus, sir, laid before you, as briefly as the subject would permit, a statement of the details of my plan, as well as of the condition and prospects of the system of Exchange in your country. Flattering, as it undoubtedly appears, much will still depend upon the action which you are to take for its security and permanence. I rely with entire confidence upon your wisdom, and upon the friendly disposition towards the cause which you have already manifested.

Should the hopes which I have so much reason to indulge be indeed realized, then the intellectual union of nations will no longer be the dream of an enthusiast, but will have received from the western hemisphere an impulse which must secure its establishment; and the world, which has so lately witnessed with admiration the triumph of American arms, will, in the more quiet and grateful pursuits of peace, owe a new debt of gratitude to American example.

With great respect,

I have the honor to be, sir,

ALEXANDRE VATTEMARE.

The House again resolved itself into a committee of the whole, on the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing, more permanently, a Common School System in this State, Mr. Barlow in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Barlow reported that the committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House, with an amendment as a substitute for the bill, which he handed in at the Clerk's table.

The said bill reads as follows, viz:

WHEREAS, the good people of the Commonwealth of Kentucky, by a vote of 74,628 in its favor, to 37,746 against it, have instructed the Legislature to impose an additional tax of two cents on each hundred dollars of property in the State, subject to taxation, "for the purpose of establishing, more permanently, a Common School System in the State." Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an additional tax of two cents on each hundred dollars worth of property in the State, subject to taxation upon the *ad valorem* principle, be and the same is hereby established and imposed; and that it is and shall be the duty of all Sheriffs, and other officers, to collect and account for the same, in the same manner as they are now required, by law, to collect and account for the general revenue tax of this Commonwealth: *Provided, however*, That said tax, so hereby imposed, shall, forever and

inviolably, be appropriated to the purposes, as aforesaid, for which it has been raised.

The amendment proposed by the committee of the whole as a substitute for said bill, is as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an additional tax of two cents on each one hundred dollars worth of property in the State, subject to taxation on the ad valorem principle, be, and the same is hereby created and imposed, for the purpose of establishing, more permanently, a Common School System in the State, and for no other purpose whatever; and the Sheriffs and other officers, are hereby required to collect, account for, and pay over the same, in the same manner, and under like penalties, that they are now required to collect and account for the general revenue of the State.

SEC. 2. *Be it further enacted*, That the Governor, on or before the first day of March next, sign, seal, execute, and deliver, for and on the part of this Commonwealth, to the Board of Education, a bond, for the payment of which the faith of the State is hereby pledged, for the sum of fifty one thousand two hundred and twenty three dollars twenty nine cents, payable at the pleasure of the Legislature, bearing an interest of five per cent. per annum, from the first day of January, 1849, payable yearly thereafter, in Frankfort, it being for that amount of interest due from the State of Kentucky to the School Fund, accruing from the first day of January, 1848, to the first day of January, 1849, after deducting all payments and credits therefrom; which said bond shall be signed by the Governor, and attested by the Secretary of State, and shall express on its face, the act under which, and the consideration for which it was given; and the same is hereby inviolably consecrated to the purposes of education.

SEC. 3. *Be it further enacted*, That the proceeds and revenue arising from said tax, and the sum of one million two hundred and twenty five thousand seven hundred and sixty eight dollars forty two cents, in bonds and lists of bonds of this State, and all interest due, or to become due thereon; and, also, seven hundred and thirty five shares of stock in the Bank of Kentucky, at one hundred dollars each, and all dividends arising therefrom; and, also, the bond to be issued pursuant to the second section hereof, and the interest thereon, be, and the same is hereby sacredly and inviolably dedicated and set apart for the purposes of Education, to the benefits of which the several counties in this State shall be entitled, in proportion to the number of children therein, between the ages of five and sixteen years; and the Commissioners of the Sinking Fund are hereby directed and required to pay over to the Board of Education the interest on said bonds and list of bonds, so far as the resources of the Sinking Fund will allow; and said Board are hereby authorized to demand and receive all dividends on the bank stock aforesaid, and to demand and receive from the Treasury, the proceeds of said two cents tax, after deducting the costs of collection, to be held, used, and appropriated, for the purposes aforesaid, and none other.

SEC. 4. That all accounts in relation to the School Fund shall be kept in the Second Auditor's office, in a separate book; and he shall report the same, annually, to the Legislature; and all moneys arising from the funds and sources set apart, as aforesaid, shall be paid into the Treasury

of this State, as other revenue, subject to the draft of the Superintendent of Public Instruction, under the direction of the Board of Education: and said Superintendent shall make out, in each year, a statement of the amount to which each county is entitled, under the provisions of the third section of this act, and file the same with the Second Auditor, whose duty it shall be to open and keep an account with all the counties in the State, giving to each credit by the amount reported by the Superintendent to be due them respectively, and charging them with the amount paid them, as hereafter directed; and should any county at any time, for three years continuously, fail properly to entitle itself, and to demand the amount set apart for it, in whole or in part, the amount not called for shall be invested by the Board of Education, in bonds of the State of Kentucky, or other safe and profitable stocks, and the interest arising therefrom, shall be distributed, as the tax, interest, and dividends aforesaid, are hereinbefore directed to be distributed.

BOARD OF EDUCATION.

SEC. 5. That the Secretary of State, and Attorney General, for the time being, together with a Superintendent of Public Instruction, to be nominated by the Governor, and approved by the Senate, be, and they are hereby constituted a body politic and corporate, by the name and style of "The Board of Education of Kentucky," who shall have perpetual succession, and have and hold property, money and stocks, for the use of Common Schools; may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts whatever; and, also, to have a common seal, and the same to break, alter, or renew, at pleasure, and, generally, to do and execute all acts and things which a corporation can lawfully do; in which said body politic and corporate, is hereby sacredly invested, the funds, resources and revenues in the 1st and 2d sections of this act enumerated, in trust for the purposes of Education in Kentucky, so that the same shall not be divested or diverted from those purposes for any other whatever.

SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 6. The Superintendent of Public Instruction shall be the President of the Board of Education, and shall sign all obligations and other instruments of writing of the Board, and seal the same, when necessary, with the corporate seal: he shall report annually to the Legislature, within ten days after it meets, the condition of the Common Scools, the amount and condition, receipts and disbursements of the funds, with his suggestions as to the increase and management thereof, and such other suggestions as he may deem useful. He shall appoint, with the advice of a majority of the Board, three School Commissioners in each county in the State, and may change or remove them, fill vacancies, &c., as he may deem necessary. He shall require said Commissioners to perform their duties, and aid and instruct them therein. He shall hold his office for two years, and until his successor is appointed: *Provided*, That nothing herein shall be construed, in any manner, to affect the appointment and duration of office of the present Superintendent.

SEC. 7. The Superintendent, before entering on the duties of his office, shall give bond, with sufficient sureties, to be approved by the Governor, and payable to the Commonwealth of Kentucky, in the sum of

twenty five thousand dollars, conditioned for the faithful discharge of his duties, and disbursement of all moneys that may come to his hands; and shall take an oath to support the Constitution of the United States, and of the State of Kentucky, and, also, an oath of office; and should he fail or refuse to pay over any money due from him, it may be recovered by the person or persons entitled thereto, by motion in the General Court, ten days previous notice being given to him, and his sureties, their executors or administrators. In case of the death, resignation, or removal from office, or the State, of the Superintendent, the Governor shall fill the vacancy for the unexpired term, and shall submit his appointment to the Senate for their advice and consent, at the first session thereafter. The Superintendent shall keep his office in Frankfort, or some town within sixty miles thereof, and shall receive an annual salary of seven hundred and fifty dollars from the interest of the School Fund, payable quarterly, and the amount of postages on letters to and from him, in relation to the business of his office. He may also employ a Clerk at an additional salary of two hundred and fifty dollars per year, if necessary, payable as aforesaid; and the Secretary of State is hereby directed to deposit, annually, with the Superintendent, for the use of the Board of Education, one copy each, of the volumes of the Acts, Journals, and Reports of the Legislature. The Second Auditor, on the first of February, in each year, shall issue his warrant on the Treasury, upon the order of the Board of Education, for such sum as will enable the Superintendent to pay the several Common School Districts, that make their annual report to him, the amount to which they are entitled: and said Superintendent, so soon as he shall receive the money, shall pay over the same to the County Commissioners entitled thereto, or to their order, for the benefit of, and to be apportioned among the districts that have maintained schools and reported according to the provisions of this act.

COUNTY COMMISSIONERS.

SEC. 8. The County Commissioners authorized by this act, who are now in office, or may be hereafter appointed, or a majority of them, shall immediately district their several counties, where it has not been done; and they may alter, consolidate, or change, the same. They shall file a copy of said districts, and changes thereof, in the County Court Clerk's office, and another with the Superintendent of Public Instruction. No district shall contain less than twenty children between the ages of five and sixteen, nor more than one hundred. Said Commissioners, or any one of them, may superintend all elections held in the several districts in their counties; they shall appoint three qualified Examiners, in different sections of their counties, one of whom shall reside at the county seat, who, or any one of them, or any one of the Commissioners, may examine and give certificates to such persons as may be found of good moral character, and qualified to teach the usual branches of English education; and a teacher who has not obtained such certificate, shall not be employed, nor deemed a qualified teacher, within the meaning of this act, to teach any Common School in this State: females, if qualified, as aforesaid, may be employed.

SEC. 9. The County Courts of this Commonwealth shall allow each School Commissioner one dollar, to be paid out of the county levy, for each day actually employed in laying off the School Districts, and dis-

charging the duties herein prescribed. Said Commissioners, on appeal from the Trustees, are authorized to hear and decide all controversies in relation to the management, location, or organization of schools in the several districts. They shall, by themselves or Chairman, make an annual report to the Superintendent of Public Instruction, on or before the first Monday in December, in each year, containing the following facts: 1st. The number of districts that have reported to them that they have kept a school according to law. 2d. The number of children between five and sixteen years of age in the district. 3d. The number at school during the year. 4th. The length of time a school has been kept in each district during the year. 5th. The amount of the cost of each scholar, per quarter, or session. 6th. The number of School Districts in the county; and 7th. The amount received and distributed the year preceding. They are hereby required to settle the accounts with their Treasurer, prior, in every year, to their reports to the Superintendent, and to report the result to him; and should any deficit occur, to take steps to recover the same.

Sec. 10. The County Commissioners now in office, and their successors to be appointed under this act, shall be a body politic and corporate; and by the name of "Commissioners of Common Schools" of the county in which they are appointed, may sue and be sued, contract and be contracted with; and may hold and possess, to them and their successors, money, stocks, and property, real and personal, not exceeding, at any one time, fifty thousand dollars, for the use of Common Schools in the county, and for no other purpose. When any of said Commissioners go out of office, within ten days thereafter he shall deliver any money, books, or papers, in his hands, to his or their successors; and on failure so to do, the Commissioner, so refusing, shall be liable for the full value of the articles retained, and subject to a fine, not exceeding one hundred dollars; and the same remedy is hereby extended to the representative of any deceased Commissioner.

Sec. 11. The School Commissioners of adjoining counties, where the county line intersects a neighborhood whose convenience may require it, may organize a district composed of parts of both counties, and the report from such district shall be from the county in which the school house is located: and in that event, the number of children, on each side of the line, shall be noted in the report, and charged to the proper county.

TREASURER.

Sec. 12. The School Commissioners in the several counties in this State, in their corporate capacity, are hereby authorized and required to appoint a County School Treasurer, who shall, from time to time, as they may require, give bond and security, in such penalty, and renew the same as often as they may think proper. Said Treasurer is authorized to receive or sue for, in the name of the School Commissioners of the county, all money or property which has been, or may hereafter be, devised or given, or otherwise acquired, by or from individuals, or corporations, for the benefit of Common Schools, or any particular district or number of districts in any county of this State. He may also be required to loan the same on safe securities, with the advice of the School Commissioners, not exceeding two years at a time, and to apply the interest of the same according to the directions of the donor or testator.

SEC. 13. The School Commissioners shall deposit all moneys received by them from the Superintendent of Public Instruction, for the several districts in their county, with their Treasurer, who shall, under the direction of said Commissioners, pay the same to the districts entitled thereto; and upon failure to do so, such Treasurer and his securities shall be liable for the amount thereof, to the parties aggrieved, on motion before any court having jurisdiction of the amount, ten days previous notice being given. Said Treasurer shall keep a regular account, subject at all times to the inspection of said Commissioners, or any of them, of all moneys by him received and paid out; for which services he may retain one per cent. on all payments he may make.

TRUSTEES OF COMMON SCHOOLS.

SEC. 14. It shall be the duty of all the qualified voters in each School District, (widows having children of the proper age included,) or such as may attend on the first Saturday in April, each year, to meet at their school house, or where there is no school house, at such other place as may be designated by any of the School Commissioners, to elect three Trustees to superintend the district for one year; and such counties as have not been districted, may proceed to elect Trustees at any time thereafter, ten days previous notice having been given by any of the School Commissioners, at three different public places in the district; and in all cases of neglect or failure to elect Trustees on the first Saturday in April, said election may be held at any other time, notice being given by any one of the old Trustees, or their Clerk, as above provided.

SEC. 15. The Trustees shall select a teacher, or teachers, for their district, may purchase or receive, by donation, not exceeding two acres of land, and provide for the erection of a school house thereon; shall take care of the same, and its enclosures, &c.; may provide the necessary furniture and fuel, and make repairs; sue for and recover any damages to the premises, and suffer no person to use or occupy any school house without the consent of a majority of them; for which purposes, and all others connected with their duties in relation to Common Schools, and to enable them to hold the property aforesaid, for the use of the school in their district, the said Trustees, and their successors, are hereby created a body politic and corporate, with all the privileges and rights of suing and being sued, for all moneys due, or injuries done or committed by or to them, in their corporate capacity: *Provided*, The amount received by them from the Common School Fund shall only be applied to the payment of the tuition of the scholars.

SEC. 16. Said Trustees, by themselves or their Clerk, on or before the tenth day of November, in each year, shall make out and deliver to the County Commissioners, or their Clerk, a report, containing the following particulars: 1st. The whole time any school has been kept in their district, during the year, by a qualified teacher. 2d. The amount of money received by the district the year preceding, and how disposed of. 3d. The number of children taught at school during the year. 4th. The whole number of children residing in the district, between the ages of five and sixteen.

SEC. 17. The Trustees of each School District shall, at the expiration of their offices, unless re-elected, render to their successors in office, a just and true account, in writing, of all moneys received by them, for the

use of the district, and how the same has been expended; and shall immediately pay over to some one or more of their successors, any balance which shall appear to be in their hands; and any Trustee, or Trustees, refusing to pay over such balance, shall be subject to a recovery of the same, with interest from the time of refusal, by motion before any court of competent jurisdiction, ten days previous notice being given, and in like manner to his or their representative, in case of death. All moneys received by the Trustees, not expended in any one year, shall go into the account of the succeding year, and be accounted for by them accordingly.

Sec. 18. The Trustees of any School District may purchase, or procure by subscription or otherwise, a Common School Library, whenever they have any surplus funds on hand, which they shall place in their school house, or some secure private residence convenient thereto, and shall make all needful regulations for the use and preservation of the same.

Sec. 19. In case of the death, removal, or refusal to act, of any Trustee of a School District, his place shall be supplied by the remaining Trustees, to continue in office until the next general election: and any Trustee in office failing or refusing to perform his duty, shall be subject to a fine of five dollars, to be recovered, by motion, by any one of the School Commissioners, before a Justice of the Peace, as above provided.

Sec. 20. That it shall be the duty of the Trustees of the several Common Schools, to visit the same in turn, at least once each week, to advise with the teacher as to the best mode of conducting the same, to see that each scholar has the necessary books, slate, and paper, and that the school house is comfortable, and supplied with tables, &c.; also, to hear and settle all complaints, or report the same to the School Commissioners for final adjudication. The powers of the Trustees shall not extend farther than the dismission of a teacher, or expulsion of a pupil or pupils, for malfeasance or disobedience of the rules or orders of the School; and they may admit as scholars, any person over sixteen, and under twenty years of age, or children from another District; but said persons shall not be included in the enumeration of children within the District.

Sec. 21. That in all cases where reports of the Trustees, or School Commissioners to the Superintendent, have not reached him, the same may be re-made, and shall be received at any time before the first of February, of the year next succeeding that in which the District School may have been kept.

CLERK AND COLLECTOR.

Sec. 22. The Trustees of each School District shall appoint a Clerk and Collector, and may remove them at pleasure. The Clerk shall keep a record of all their elections and other proceedings, the boundaries of the districts, the reports made by the Trustees to the Commissioners; he shall give notice of all elections and district meetings called by the Trustees, keep and preserve all books and papers committed to him, and deliver them to his successor in office, on demand, or be liable to the same penalties provided by law against Clerks of the County Courts; he shall ascertain the number of children in the district, between the ages of five and sixteen years, and report the same by the 15th November, in each year, to the School Commissioners of his county, having first taken an

oath, before a Justice of the Peace, that the same is true, to the best of his information and belief; and, for this purpose, he may administer an oath to any parent or guardian of any child in his district, or this duty may be performed by any Trustee, in the absence or neglect of the Clerk. The Collector shall collect all sums due to the Trustees or Teacher, or place the demands in the hands of the proper officer for collection, and see that the same is collected and paid over; for which services he shall receive six per cent. on the amount collected, when collected by himself, and not by the officer.

ORGANIZATION OF COMMON SCHOOLS.

SEC. 23. That, so soon as the citizens of any School District shall raise or subscribe sufficient money or property to maintain a School, and have the same taught for three months, in any one year, by a qualified teacher, as required by this act, and shall have elected their Trustees, and made their report to the School Commissioners of the county, according to this act, such District shall be entitled to its just proportion of the money provided for the support of Common Schools: *Provided*, That all the children in the District, of the proper age, may attend said School, and no District tax shall be required.

SEC. 24. That any town in this Commonwealth, a majority of all the voters therein concurring, may have power to declare itself a School District, within the corporate limits thereof; any School taught therein, by the election of Trustees, and otherwise complying with the provisions of this act, may become a Common School, and entitled to all the benefits of other Common Schools in this Commonwealth; and should any town fail to declare itself a School District, as aforesaid, any portion thereof having the requisite number of children, at the instance of the voters thereof, may be laid off by the County Commissioners as a School District, and may maintain a Common School therein, pursuant to the provisions and entitled to the benefits of this act.

SEC. 25. That each School District shall be entitled to its portion of the proceeds and revenues arising from the School Fund, and set apart for the county in which it is situated, in proportion to the number of scholars between the ages of five and sixteen in said District, to the whole number of scholars between said ages in said county, when said District shall have organized, and maintained a School, and reported according to the provisions of this act.

SEC. 26. That the provisions of this act, so far as districting is required, shall not apply to Louisville, Lexington or Maysville, but said cities shall be considered as having adopted the System of General Instruction, so long as they continue to maintain Public Schools, by taxation or otherwise, and be entitled to all the benefits of this act, on the report, on oath, of the Agent of Public Schools of said cities, of the number of children in said cities of the ages prescribed by this act; and that portion of the School money, to which said cities shall be entitled, shall be paid to the Mayor and Council of each, for the use of the Public Schools therein.

SEC. 27. That all acts and parts of acts coming within the purview of this act, be and they are hereby repealed.

Mr. Hughes moved to amend the amendment proposed by the committee of the whole, by substituting the following in lieu thereof, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Sheriffs, and other Collectors of the Revenue shall hereafter collect two cents upon each one hundred dollars worth of property listed for taxation, in addition to the *ad valoram* tax now directed by law to be collected, which shall be paid over and accounted for as other Revenue, and for which said Sheriffs and Collectors shall only receive a commission of five per cent.

Sec. 2. *Be it further euacted*, That said two cents upon each one hundred dollars worth of property, and the interest accruing upon the State Bonds and Bank Stock held by the Board of Education, be, upon the faith of the State, forever set apart and dedicated as a fund for Common Schools; and the same shall be apportioned among the several counties in proportion to the number of children in each county between the ages of five and sixteen years.

Sec. 3. *Be it further enacted*, That the balance of annual interest on the School Fund, for the year 1848, shall be divided among the different counties in proportion to the number of children in each county between the ages aforesaid, and paid on the 1st day of January, 1850: *Provided*, That those counties which have drawn a portion of the aggregate interest arising from said source, be first charged with the amount drawn, so that the whole amount of said interest be distributed *per capita*.

Sec. 4. *Be it further enacted*, That the annual sum to which each county is entitled, under the provisions of this act, shall, on the faith of the State, be forever set apart, and solemnly dedicated as a fund for Common Schools in said county, and shall never be used or appropriated for any other purpose; but the same shall remain in the Treasury, to the credit of said county, until the laws are complied with to enable said county to draw the same.

Sec. 5. *Be it further enacted*, That there shall be three Commissioners appointed in each county, in which none have heretofore been appointed, or in which those appointed have failed to act, who shall be called and styled Commissioners of Common Schools for the county in which they are appointed, who shall elect a Treasurer of their Board, which Treasurer, after he has executed a bond in the County Court of his county, with one or more good securities, to be approved of by said Court in a penalty at least double the amount of the School Fund to which the said county is entitled, conditioned for the faithful application of said Fund, shall be authorized to draw from the Treasurer of the State the amount of the Common School Fund to which their county is entitled; and he shall pay out the same under the direction of said Common School Commissioners.

Sec. 6. *Be it further enacted*, That it shall be the duty of said Commissioners, as soon as practicable, to lay off their county in convenient Districts, so that there be not less than twenty, nor more than one hundred children in each District between the ages of five and sixteen years: *Provided*, It be left discretionary with said Commissioners either to district their county or pay out the fund due to their county to schools in which the elements of an English education are taught.

Sec. 7. *Be it further enacted*, That it shall be the duty of said Common

School Commissioners to draw an order on their Treasurer in favor of the Trustees, or their order, of the different School Districts in their county, for the amount to which each District is entitled, in proportion to the number of children residing in each District between the ages of five and sixteen years; which amount shall be annually applied by said Trustees for the benefit of those children actually taught, and residing in said District; and should any District fail to organize, as now required by law, the amount to which said District is entitled shall be held by said Common School Commissioners in trust for the benefit of said District, until it is organized.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Second Auditor, on or before first day of January, in each year, to deduct from the aggregate School Fund the expenses chargeable by law to said Fund, and then inform the Common School Commissioners of each county, by mail, of the amount to which said county is entitled, under the provisions of this act; a tabular statement of which, showing the amount to which each county is entitled, shall be furnished by the Auditor to the Treasurer, which, together with the certificate of the Clerk of the County Court, certifying that a bond had been executed by said Treasurer, as directed by the 5th section of this act, shall authorize the Treasurer to pay the amount to which each county is entitled, to said Treasurer of said Board, or his order.

SEC. 9. *Be it further enacted*, That said Common School Commissioners shall have power, by and with the consent of their County Court, to fill all vacancies which may occur in their number; and it shall be lawful for any one of said Commissioners, who may remain in office, to discharge all the duties of Common School Commissioners; and should said Board of Common School Commissioners become entirely vacant, it shall be the duty of the County Court to fill said vacancies.

SEC. 10. *Be it further enacted*, That it shall be the duty of the Trustees of each District to report to the county Commissioners the whole number of children in their District between the ages of five and sixteen years, and the number and length of time actually taught in each year; and the county Commissioners shall report to the Secretary of State, and he to the Legislature, as heretofore directed by law, to be reported by the Superintendent of Public Instruction.

SEC. 11. *Be it further enacted*, That the office of Superintendent of Public Instruction is hereby abolished, and the reports heretofore directed to be made to him shall hereafter be made to the Secretary of State.

SEC. 12. *Be it further enacted*, That all laws coming within the purview of this act are hereby repealed.

And the question being taken on adopting the same, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garland and Logan, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Grundy,	Morris,
Barlow,	Harreld,	Murphy,
Bassett,	Harrison,	Newell,
Best,	Harris,	Noe,

Boarman,	Hayden,	Pope,
Cargill,	Headley,	Reiley,
Collins,	Holton,	Rhea,
Conklin,	Hughes,	Robertson,
Cottle,	Huston,	Shawhan,
Davis, J. W.	Jackson,	Spurr,
Davis, J.	Johnson,	Stevens, J.
Dodds,	Leonard,	Stevens, S.
Dohoney,	Lewis, D. P.	Stewart, M.
Dunlap,	Logan,	Stuart, J.
Duvall,	Lucas,	Swan,
Eubank,	Magruder,	Terrill,
Eversole,	Mason,	Turner,
Ford,	McClarty,	Vaughan,
Garland,	McConnell,	Wallace,
Garred,	McFarland,	Wilson,
Gordon,	Miller,	Word—63.

Those who voted in the negative, were—

Mr. Speaker,	Daviess, W.	Rodman,
Messrs. Anderson,	Ewing,	Sherwood,
Barbee,	Hite,	Smith,
Barnes,	Holladay,	Thomas,
Beaty,	Jefferson,	Underwood—16.
Bibb,	Lewis, R. G.	Vertress,
Bickley,	Napier,	Vickers,
Blair,	Records,	Whitsett,
Bledsoe,	Reynolds,	Woods—28.
Chenault,		

Mr. Spurr moved to amend the amendment by substituting the following in lieu thereof, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an additional tax of two cents on each hundred dollars worth of property in the State, subject to taxation on the ad valorem principle, be and the same is hereby created and imposed, for the purpose of establishing, more permanently, a Common School System in the State, and for no other purpose whatever; and the Sheriffs and other officers are hereby required to collect, account for, and pay over the same, in the same manner, and under like penalties, that they are now required to collect and account for the general revenue of the State.

Sec. 2. *Be it further enacted*, That the Trustees of Common Schools shall report to the School Commissioners, in their respective counties, and those Commissioners to the Superintendent of Public Instruction, the whole number of children, of the ages required by law, that have actually attended school for three months and upwards, during the year preceding; and the number of children thus reported as having actually been at school, and not the number of children inhabiting the districts reported, as heretofore, shall be the basis of calculation, and the ground of the orders drawn by the Superintendent of Public Instruction on the Second Auditor: *Provided*, That it shall be the duty of the Trustees of the Schools to cause the Teachers thereof to keep a regular register of

the names of each and every child between the ages of five and sixteen, attending school during the year, and, also, the length of time each child has attended school; a copy of which record, sworn to by the Teacher, shall be reported, annually, to the County Commissioners, as is now provided by law: *And, provided further*, That where a child attends two or more schools during the year, that school to which it has gone the greatest length of time shall be entitled to report it, and none other.

SEC. 3. *Be it further enacted*, That any school in this Commonwealth, in which the elements of a good English education are imparted to children, of the ages required by law, may become one of the State Common Schools, and entitled to all the benefits of the Common School System of the State, by complying with the provisions of the law now in force in regard to Common Schools, without the necessity of having any district laid off, and without regard to the fact of its being in any district or not, or of there being two or more schools in the same district; the intent being, that the subject shall be regarded and treated by schools, no matter where existing, rather than by territorial districts, as heretofore, and that the schools shall be aided according to the number of children taught, no matter where the children may reside.

SEC. 4. *Be it further enacted*, That the whole annual interest of the State bonds, lists of bonds, and Bank stock, held by the Board of Education, and, also, the proceeds and revenue arising from the two cents tax, after deducting so much as may be necessary to defray the expenses of managing the system of general education, shall be distributed in the manner provided by law, amongst the Common Schools of the State: *Provided*, The rate of distribution shall not exceed the rate of one dollar and fifty cents, per year, to each child reported as having actually attended school at least three months during the school year.

SEC. 5. *Be it further enacted*, That the Commissioners of the Sinking Fund are hereby directed to make provision for the payment, semi-annually, of the interest upon the State bonds, and lists of bonds, held by the Board of Education, so far as that may be possible, without interfering with the existing liabilities and engagements of the Sinking Fund; any surplus in the hands of said Commissioners of the Sinking Fund, which may at any time exist, on the first of July and the first of January, respectively, in every year, being applied to the payment of that interest, discharging, first, interest in arrears, and then accruing interest, as it accrues from time to time.

SEC. 6. *Be it further enacted*, That if there shall remain, at the end of any year, an unexpended interest upon the State bonds and lists of bonds, held by the Board of Education, it shall be invested, for the increase of the permanent fund, by the Board of Education, in bonds of the State of Kentucky, provided they can be purchased at par; and the order of the Superintendent of Public Instruction, approved by the Board of Education, shall be the authority on which the Second Auditor shall, from time to time, at the end of every year, draw his warrant on the Treasury for the amount of such unexpended interest on said State bonds and lists of bonds, held by the Board of Education, to be invested as aforesaid.

SEC. 7. *Be it further enacted*, That the Superintendent of Public Instruction shall be and is hereby authorized to employ a Clerk in his office, at a salary not to exceed dollars a year, payable quarterly, as

other salaries, out of the Treasury. The Secretary of State is hereby directed to deposit, annually, in said office, for the use of the Board of Education, one copy, each, of the volumes of Acts, Journals and Reports of the Legislature. The salary of the Superintendent of Public Instruction shall, hereafter, be dollars a year, payable quarterly, as other salaries of public officers, out of the Treasury.

Sec. 8. *Be it further enacted*, That all acts, and parts of acts, coming within the purview of this act, be and they are hereby repealed.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garland and Turner, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Lewis, D. P.	Smith,
Beaty,	McLarning,	Speed,
Bickley,	Miller,	Spurr,
Daviess, W.	Morris,	Towles,
Ewing,	Pope,	Underwood,
Headley,	Robertson,	Wilson—19.
Jefferson,		

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Napier,
Messrs. Anderson,	Garred,	Newell,
Barbee,	Gordon,	Noe,
Barlow,	Grundy,	Records,
Barnes,	Hardin,	Reiley,
Bassett,	Harreld,	Reynolds,
Best,	Harrison,	Rhea,
Bibb,	Harris,	Rodman,
Blair,	Hayden,	Shawhan,
Bledsoe,	Hite,	Sherwood,
Boarman,	Holladay,	Stevens, J.
Cargill,	Holton,	Stevens, S.
Chenault,	Hughes,	Stewart, M.
Collins,	Huston,	Stuart, J.
Conklin,	Jackson,	Swan,
Cottle,	Leonard,	Terrill,
Davis, J. W.	Lewis, R. G.	Thomas,
Davis, J.	Logan,	Turner,
Dodds,	Lucas,	Vaughan,
Dohoney,	Mason,	Vickers,
Dunlap,	McClarty,	Wallace,
Duvall,	McConnell,	Whitsett,
Eubank,	McFarland,	Woods,
Eversole,	Murphy,	Word—73.
Ford,		

Mr. Robertson moved to amend said amendment by adding the following sections, viz:

Be it further enacted, That any school in this Commonwealth, in which the elements of a good English education are imparted to children, of the ages required by law, may become one of the State Common Schools, and entitled to all the benefits of the Common School System of the State, by complying with the provisions of the law now in force in regard to Common Schools, without the necessity of having any district laid off, and without regard to the fact of its being in any district or not, or of there being two or more schools in the same district; the intent being, that the subject shall be regarded and treated by schools, no matter where existing, rather than by territorial districts, as heretofore, and that the schools shall be aided according to the number of children taught, no matter where the children may reside.

Be it further enacted, That it shall be the duty of the Commissioners of Common Schools to ascertain the number of children, in their respective counties, who are so destitute of means as to be unable to contribute any thing to their own education; each of whom shall be entitled to gratuitous tuition for one year, the cost of such tuition being, as it shall be, paid out of the fund allotted, under this act, to the county in which such destitute child or children shall reside; and it shall be the duty of said Commissioners to see that all such children shall have the opportunity of such education.

A division of the question being called for, the question was first taken on the first section of said amendment, and decided in the negative.

The yeas and nays being required thereon by Messrs. Spurr and Headley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Alexander,
Barbee,
Barnes,
Beaty,
Bickley,
Chenault,
Dunlap,
Duvall,
Headley,
Holton,
Jefferson,
Lewis, D. P.
McLarning,
Miller,
Morris,
Pope,
Records,
Robertson,
Smith,
Speed,
Spurr,
Swan,
Turner,
Underwood,
Vaughan,
Vertress,
Wilson—28.

Those who voted in the negative, were—

Messrs. Anderson,
Barlow,
Bassett,
Best,
Bibb,
Blair,
Bledsoe,
Boarman,
Cargill,
Collins,
Conklin,
Garland,
Garred,
Gordon,
Grundy,
Hardin,
Harreld,
Harrison,
Harris,
Hayden,
Hite,
Hughes,
McFarland,
Murphy,
Napier,
Newell,
Noe,
Reiley,
Reynolds,
Rhea,
Rodman,
Shawhan,
Sherwood,

Cottle,	Huston,	Stevens, J.
Daviess, W.	Jackson,	Stevens, S.
Davis, J. W.	Johnson,	Stewart, J.
Davis, J.	Leonard,	Terrill,
Dodds,	Logan,	Thomas,
Dohoney,	Lucas,	Vickers,
Eubank,	Magruder,	Wallace,
Eversole,	Mason,	Whitsett,
Ewing,	McClarty,	Woods,
Ford,	McConnell,	Word—63.

The question was then taken on the adoption of the second section of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Spurr and Headley, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Jefferson,	Rhea,
Anderson,	Leonard,	Robertson,
Barbee,	Lewis, D. P.	Smith,
Barnes,	Magruder,	Speed,
Bibb,	McLarning,	Spurr,
Bickley,	Miller,	Swan,
Duvall,	Morris,	Vertress,
Ewing,	Napier,	Wallace,
Hayden,	Pope,	Wilson,
Headley,	Reynolds,	Woods—31.
Hite,		

Those who voted in the negative, were—

Mr. Speaker,	Eversole,	Murphy,
Messrs. Barlow,	Ford,	Newell,
Bassett,	Garland,	Noe,
Beaty,	Garred,	Records,
Best,	Gordon,	Reiley,
Blair,	Grundy,	Rodman,
Bledsoe,	Hardin,	Shawhan,
Boarman,	Harreld,	Sherwood,
Cargill,	Harrison,	Stevens, J.
Chenault,	Harris,	Stevens, S.
Collins,	Hughes,	Stuart, J.
Conklin,	Huston,	Terrill,
Cottle,	Jackson,	Thomas,
Daviess, W.	Johnson,	Turner,
Davis, J. W.	Logan,	Underwood,
Davis, J.	Lucas,	Vaughan,
Dodds,	Mason,	Vickers,
Dohoney,	McClarty,	Whitsett,
Dunlap,	McConnell,	Word—59.
Eubank,	McFarland,	

Mr. Spurr moved to amend said amendments by adding the following sections, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an additional tax of two cents on each hundred dollars worth of property in the State, subject to taxation on the ad valorem principle, be and the same is hereby created and imposed, for the purpose of establishing, more permanently, a Common School System in the State, and for no other purpose whatever; and the Sheriffs and other officers are hereby required to collect, account for, and pay over the same, in the same manner, and under like penalties, that they are now required to collect and account for the general revenue of the State.

SEC. 2. *Be it further enacted*, That the Commissioners of the Sinking Fund are hereby directed to make provision for the payment, semi-annually, of the interest upon the State bonds, and lists of bonds, held by the Board of Education, so far as that may be possible, without interfering with the existing liabilities and engagements of the Sinking Fund; any surplus in the hands of said Commissioners of the Sinking Fund, which may at any time exist, on the first of July and the first of January, respectively, in every year, being applied to the payment of that interest, discharging, first, interest in arrears, and then accruing interest, as it accrues from time to time.

At 6 o'clock, P. M., Mr. Vertress moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vertress and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barbee,	Headley,	Records,
Beaty,	Hite,	Smith,
Best,	Holton,	Speed,
Daviess, W.	Johnson,	Swan,
Davis, J. W.	Leonard,	Thomas,
Dunlap,	Logan,	Towles,
Ewing,	Magruder,	Turner,
Gordon,	McConnell,	Underwood,
Hardin,	Menzies,	Vickers,
Harreld,	Murphy,	Wallace—32.
Harrison,	Noe,	

Those who voted in the negative, were—

Mr. Speaker,	Eubank,	Napier,
Messrs. Alexander,	Eversole,	Newell,
Anderson,	Ford,	Pope,
Barlow,	Garland,	Reiley,
Barnes,	Garred,	Reynolds,
Bassett,	Grundy,	Rhea,
Bibb,	Harris,	Robertson,
Bickley,	Hayden,	Rodman,
Blair,	Hughes,	Shawhan,
Bledsoe,	Huston,	Sherwood,

Boarman,	Jackson,	Spurr,
Cargill,	Jefferson,	Stevens, S.
Chenault,	Jones,	Stuart, J.
Collins,	Lewis, D. P.	Terrill,
Conklin,	Lucas,	Vaughan,
Cottle,	Mason,	Vertress,
Davis, J.	McFarland,	Wilson,
Dodds,	McLarning,	Woods,
Dohoney,	Miller,	Word—59.
Duvall,	Morris,	

Mr. Barlow moved to refer said amendments to a committee of five, with instructions to report the same to the House to-morrow at 12 o'clock.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Towles and Barlow, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Napier,
Messrs. Anderson,	Grundy,	Newell,
Barbee,	Hardin,	Noe,
Barlow,	Harreld,	Pope,
Barnes,	Harrison,	Records,
Bassett,	Harris,	Reiley,
Best,	Hayden,	Reynolds,
Bibb,	Headley,	Rhea,
Blair,	Hite,	Shawhan,
Bledsoe,	Holton,	Sherwood,
Boarman,	Hughes,	Smith,
Cargill,	Huston,	Speed,
Chenault,	Jackson,	Stewart, M.
Collins,	Leonard,	Stuart, J.
Conklin,	Logan,	Swan,
Cottle,	Lucas,	Terrill,
Daviess, W.	Magruder,	Thomas,
Davis, J.	McConnell,	Underwood,
Dohoney,	McFarland,	Vaughan,
Dunlap,	McLarning,	Vickers,
Duvall,	Menzies,	Wallace,
Eubank,	Miller,	Wilson,
Ewing,	Morris,	Woods,
Ford,	Murphy,	Word—73.
Garland,		

Those who voted in the negative, were—

Messrs. Alexander,	Gordon,	Rodman,
Beaty,	Jefferson,	Spurr,
Bickley,	Lewis, D. P.	Stevens, S.
Davis, J. W.	Mason,	Towles,
Dodds,	Robertson,	Vertress—16.
Eversole,		

Whereupon, Messrs. Barlow, Hughes, Newell, Underwood and Spurr were appointed said committee.

And then the House adjourned.

TUESDAY, FEBRUARY 20, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act for the benefit of the Sheriff of Campbell county.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

With an amendment to the amendment of the last named bill.

That they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act to amend the law to prohibit the importation of slaves into this State.

An act for the benefit of A. J. Gatewood, of Barren county.

An act declaring Big Mud Creek, in Butler county, a navigable stream.

That they had passed bills of the following titles, viz:

An act to provide for a Geological and Mineralogical Survey of the State.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act to promote the growth and manufacture of silk.

An act to divorce Jane Gatliff.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.

An act for the benefit of the Clerk of the Caldwell Circuit Court.

An act to incorporate the Licking Steamboat Navigation Company.

An act to charter sundry Turnpike Road Companies in Madison county.

An act for the benefit of certain children in District, No. 1, in Graves county.

Mr. Underwood, from the committee on Education, to whom was referred a bill from the Senate, entitled, an act to incorporate the Male and Female Institute, of Calloway, and Shelbyville Female College, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Vertress asked leave to withdraw the petition of P. F. Jones, and the same was withdrawn.

Mr. Vertress asked leave to withdraw the petition of sundry citizens of Hardin, Meade, Jefferson and Bullitt counties, and the same was withdrawn.

On motion of Mr. Bickley, a message was sent to the Senate, to ask leave to withdraw the report of this House, announcing the passage of a bill from the Senate, entitled, an act for the benefit of William Stilwell and others, of East Maysville.

After a short time the messenger returned with said bill.

Mr. Bickley moved a reconsideration of the vote passing said bill, and it was decided in the affirmative.

And the question was again taken on the passage of said bill, and it was decided in the negative, and so the said bill was disagreed to.

1. Mr. Holton presented the petition of Thomas S. Theobald, praying that the amount due him by the State of Kentucky, as late Keeper of the Penitentiary, and the costs of a suit in the General Court, may be paid him.

2. Mr. Morris presented the petition of the Committee of Chosen Friends Lodge of Odd Fellows, praying an act of incorporation.

3. Mr. Cottle presented the petition of sundry citizens of Morgan county, praying for an additional Justice of the Peace.

4. Mr. Bledsoe presented the petition of sundry citizens of Albany, in Clinton county, praying that the power to grant tavern licenses by the Trustees may be repealed.

5. Also, the remonstrance of sundry citizens of said town, against said repeal.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; and the 2d, 3d, 4th and 5th to the committee on the Judiciary.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill to establish the town of Brooklyn, in Campbell county, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Morris, from the same committee, to whom was referred the petition of sundry citizens of the city of Louisville, praying for a repeal of a part of their charter, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Terrill—A bill for the benefit of the McCracken County Court.

By same—A bill for the benefit of the Jailer of Ballard county.

By same—A bill to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2, 1844.

By same—A bill for the benefit of the heirs of Thomas Taylor, deceased.

By same—A bill for the benefit of Narcissa Amanda Morgan.

By same—A bill to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

By the committee on Internal Improvement—A bill to incorporate the Brooksville and Rock Spring Turnpike Road Company.

By Mr. Blair—A bill for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.

By Mr. Dunlap—A bill for the benefit of the Mechanics of Garrard county.

By the committee on the Judiciary—A bill to change the time of holding the Fall Term of the Clay, and the Summer Term of the Fleming Circuit Courts.

By same—A bill to amend the charter of the city of Louisville, and for other purposes.

By same—A bill to amend the charter of the Louisville and Frankfort Railroad Company.

By same—A bill to incorporate the Jefferson Insurance Company of Louisville.

By same—A bill to change the mode of advertising the forfeiture and sale of lands for taxes.

By same—A bill to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22, 1831.

By same—A bill for the benefit of Campbell county.

By same—A bill incorporating the German Jefferson Benevolent Society of Louisville.

By same—A bill to incorporate the several Mansonic Institutions of Louisville.

By same—A bill to incorporate the German Roman Catholic St. Boniface Society of Louisville.

By same—A bill for the benefit of David Logan and his children.

By same—A bill to extend the powers of the Trustees of the town of New Castle.

By same—A bill for the benefit of C. M. Matthews.

By the committee on Propositions and Grievances—A bill for the benefit of Jesse Vansickles.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Morris, from the committee on the Judiciary, reported a bill to amend the law in respect to fees allowed Justices of the Peace, which was read the first time.

And the question being taken on reading said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Robertson moved a reconsideration of the vote passing a bill from this House, entitled, an act to change the time of holding the Fall term of the Clay, and the Summer term of the Fleming Circuit Courts.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative, and so the said bill was rejected.

Mr. Bassett, from the committee on the Judiciary, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

An act to change the Fall Term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and the titles thereof be as aforesaid.

Mr. Bassett, from the same committee, to whom was referred leave to bring in a bill for the benefit of S. D. Stratton, asked to be discharged from the further consideration of the same.

On motion of Mr. Terrill, ordered that said committee prepare and bring in said bill.

Mr. Barlow, from the committee to whom was referred the amendments proposed to the bill to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing, more permanently, a Common School System in the State, reported the same with an amendment as a substitute for said amendments.

The said amendment, as a substitute, reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Sheriffs, and other Collectors of the Revenue shall, hereafter, collect two cents upon each one hundred dollars worth of property listed for taxation, in addition to the *ad valorem* tax now directed by law to be collected, which shall be paid over and accounted for as other Revenue, and for which said Sheriffs and Collectors shall only receive a commission of five per cent.

SEC. 2. *Be it further enacted*, That said two cents upon each one hundred dollars worth of property, and the interest accruing upon the State Bonds and Bank Stock held by the Board of Education, be, upon the faith of the State, forever set apart and dedicated as a fund for Common Schools; and the same shall be apportioned among the several counties in proportion to the number of children in each county between the ages of five and sixteen years.

SEC. 3. *Be it further enacted*, That the balance of annual interest on the School Fund, for the year 1848, shall be divided among the different counties in proportion to the number of children in each county between the ages aforesaid, and paid on the first day of February, 1850: *Provided*, That those counties which have drawn a portion of the aggregate interest arising from said source, be first charged with the amount drawn, so that the whole amount of said interest be distributed for the benefit of the children of each county between the ages aforesaid.

SEC. 4. *Be it further enacted*, That the annual sum to which each county is entitled, under the provisions of this act, shall, on the faith of the State, be forever set apart, and solemnly dedicated as a fund for Common Schools in said county, and shall never be used or appropriated for any other purpose; but the same shall remain in the Treasury, to the credit of said county, until the laws are complied with to enable said county to draw the same.

SEC. 5. *Be it further enacted*, That the County Court shall appoint three Commissioners in each county, in which none have heretofore been appointed, or in which those appointed have failed to act, who shall be called and styled Commissioners of Common Schools for the county in which they are appointed, who shall elect a Treasurer of their Board, which Treasurer shall annually execute a bond in the County Court of his county, with one or more good securities, to be approved of by said Court, in a penalty at least double the amount of the School Fund to which their said county is entitled, conditioned for the faithful application of said Fund, shall be authorized, on the first day of February, in each year, to draw from the Treasurer of the State the amount of the Common School Fund to which their county is entitled; and he shall pay out the same under the direction of said Common School Commissioners.

SEC. 6. *Be it further enacted*, That it shall be the duty of said Commissioners, as soon as practicable, to lay off their county into convenient Districts, so that there be not less than twenty, nor more than one hundred children in each District between the ages of five and sixteen years: *Provided*, It be left discretionary with said Commissioners either to district their county, or pay out of the fund due to their county to Schools in which the elements of an English education are taught.

SEC. 7. *Be it further enacted*, That it shat it shall be the duty of said Common School Commissioners to draw an order on their Treasurer in favor of the Trustees, or their order, of the different School Districts, or Schools taught in their county, for the amount to which each District or School is entitled, in proportion to the number of children residing in each District, or attending said School, between the ages of five and sixteen years; which amount shall be annually applied by said Trustees for the benefit of those children actually taught, and residing in said District, or attending said School; and should any District fail to organize, as now required by law, the amount to which said District is entitled shall be held by said Common School Commissioners in trust for the benefit of said District, until it is organized: *Provided*, That if any District shall not organize within five years, the amount to which said District is entitled shall be distributed among the other Districts of said county in proportion to the number of children in each District between the ages aforesaid.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Second Auditor, on or before the first day of January, in each year, to deduct from the aggregate School Fund the expenses chargeable by law to said Fund, and then inform the Common School Commissioners of each county, by mail, of the amount to which said county is entitled, under the provisions of this act; a tabular statement of which, showing the amount to which each county is entitled, shall be furnished by the Auditor to the Treasurer, which, together with the certificate of the Clerk of the County Court, certifying that a bond had been executed by said Treasurer, as directed by the 5th section of this act, shall authorize the Treasurer to pay the amount to which each county is entitled, to said Treasurer of said Board, or his order.

SEC. 9. *Be it further enacted*, That said Common School Commissioners shall have power, by and with the consent of their County Court, to fill all vacancies which may occur in their number; and it shall be lawful for any one of said Commissioners, who may remain in office, to discharge all the duties of Common School Commissioners; and should said Board of Common School Commissioners become entirely vacant, it shall be the duty of the County Court to fill said vacancies.

SEC. 10. *Be it further enacted*, That it shall be the duty of the Trustees of each District and School, annually, to report to the county Commissioners the whole number of childen in their District between the ages of five and sixteen years, and the number of children and length of time actually taught in each year; and the county Commissioners shall report to the Secretary of State, and he to the Legislature, as heretofore directed by law to be reported by the Superintendent of Public Instruction.

SEC. 11. *Be it further enacted*, That the office of Superintendent of Public Instruction is hereby abolished, and the reports heretofore directed

to be made to him shall hereafter be made to the Secretary of the State, who shall be the President of the Board of Education.

SEC. 12. *Be it further enacted*, That the salary of the Secretary of State be, and is hereby increased dollars, as compensation for additional services required of him by this act.

SEC. 13. *Be it further enacted*, That all laws coming within the purview of this act are hereby repealed.

Mr. Towles moved to amend said amendment by adding the following, viz:

That the salary of the Secretary of State is hereby increased, as compensation for additional services required of him by this act.

Mr. Towles moved to fill the blank in said amendment with "$300."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barnes and Chenault, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hite,	Murphy,
Messrs. Anderson,	Holton,	Pope,
Best,	Hughes,	Rhea,
Bibb,	Huston,	Robertson,
Blair,	Jefferson,	Rodman,
Chenault,	Johnson,	Smith,
Collins,	Jones,	Speed,
Daviess, W.	Lewis, D. P.	Stewart, M.
Dunlap,	Lewis, R. G.	Stuart, J.
Duvall,	Magruder,	Swan,
Ewing,	McClarty,	Terrill,
Ford,	McFarland,	Towles,
Gordon,	McLarning,	Turner,
Hardin,	Miller,	Underwood,
Harreld,	Morris,	Word—46.
Hayden,		

Those who voted in the negative, were—

Messrs. Alexander,	Eversole,	Records,
Barbee,	Garland,	Reiley,
Barlow,	Garred,	Reynolds,
Barnes,	Grundy,	Shawhan,
Bassett,	Harrison,	Sherwood,
Beaty,	Harris,	Spurr,
Bickley,	Headley,	Stevens, J.
Bledsoe,	Holladay,	Stevens, S.
Boarman,	Jackson,	Thomas,
Cargill,	Leonard,	Vaughan,
Conklin,	Logan,	Vertress,
Cottle,	Lucas,	Vickers,
Davis, J. W.	Mason,	Wallace,
Davis, J.	McConnell,	Whitsett,
Dodds,	Napier,	Wilson,

Dohoney,	Newell,	Woods—50.
Eubank,	Noe,	

Mr. Noe then moved to fill the blank in said amendment with "$250."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garland and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harrison,	Napier,
Messrs. Basset,	Hayden,	Noe,
Best,	Hite,	Pope,
Bibb,	Holladay,	Reiley,
Blair,	Holton,	Reynolds,
Bledsoe,	Hughes,	Rhea,
Boarman,	Huston,	Rodman,
Chenault,	Jefferson,	Sherwood,
Collins,	Johnson,	Speed,
Conklin,	Jones,	Stewart, M.
Cottle,	Lewis, R. G.	Stuart, J.
Daviess, W.	Logan,	Swan,
Dunlap,	Lucas,	Terrill,
Duvall,	Magruder,	Thomas,
Eubank,	McConnell,	Towles,
Ford,	McFarland,	Turner,
Garred,	McLarning,	Underwood,
Gordon,	Miller,	Wilson,
Hardin,	Morris,	Word—59.
Harreld,	Murphy,	

Those who voted in the negative, were—

Messrs. Alexander,	Eversole,	Robertson,
Anderson,	Ewing,	Shawhan,
Barbee,	Garland,	Smith,
Barlow,	Grundy,	Spurr,
Barnes,	Harris,	Stevens, J.
Beaty,	Headley,	Stevens, S.
Bickley,	Jackson,	Vaughan,
Cargill,	Leonard,	Vertress,
Davis, J. W.	Lewis, D. P.	Vickers,
Davis, J.	Mason,	Wallace,
Dodds,	Newell,	Whitsett,
Dohoney,	Records,	Woods—36.

The amendment proposed by Mr. Towles, as amended, was then adopted.

The amendment proposed by the select committee, as a substitute for the amendments to the bill, was then adopted.

Mr. Boarman moved to amend said amendment by striking out the first section.

Mr. J. Stevens moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the amendment proposed by Mr. Boarman be adopted?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boarman and Cargill, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Dohoney,	Noe,
Barbee,	Eubank,	Pope,
Beaty,	Ewing,	Robertson,
Bibb,	Hardin,	Rodman,
Blair,	Hayden,	Speed,
Bledsoe,	Headley,	Spurr,
Boarman,	Lewis, D. P.	Stuart, J.
Cargill,	Lewis, R. G.	Swan,
Conklin,	McClarty,	Towles,
Cottle,	McConnell,	Vaughan,
Davis, J.	Miller,	Vertress,
Dodds,	Morris,	Wallace—36.

Those who voted in the negative, were—

Mr. Speaker,	Harris,	Newell,
Messrs. Anderson,	Hite,	Records,
Barlow,	Holladay,	Reiley,
Barnes,	Holton,	Reynolds,
Bassett,	Hughes,	Rhea,
Best,	Huston,	Shawhan,
Bickley,	Jackson,	Sherwood,
Chenault,	Jefferson,	Smith,
Collins,	Johnson,	Stevens, J.
Davis, J. W.	Jones,	Stevens, S.
Dunlap,	Leonard,	Terrill,
Eversole,	Logan,	Turner,
Ford,	Lucas,	Underwood,
Garland,	Magruder,	Vickers,
Garred,	Mason,	Whitsett,
Gordon,	McFarland,	Wilson,
Grundy,	McLarning,	Woods,
Harreld,	Murphy,	Word—56.
Harrison,	Napier,	

The question was then taken on adopting the amendment, as amended in lieu of the original bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holladay and Cottle, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harreld,	Newell,
Messrs. Barlow,	Harrison,	Noe,

Barnes,	Harris,	Pope,
Bassett,	Hayden,	Records,
Best,	Hite,	Reiley,
Boarman,	Holladay,	Reynolds,
Cargill,	Holton,	Rhea,
Collins,	Hughes,	Shawhan,
Conklin,	Jackson,	Sherwood,
Cottle,	Johnson,	Speed,
Davis, J. W.	Jones,	Stevens, J.
Davis, J.	Leonard,	Stevens, S.
Dohoney,	Logan,	Stuart, J.
Dunlap,	Lucas,	Terrill,
Eubank,	Magruder,	Thomas,
Eversole,	Mason,	Turner,
Ford,	McConnell,	Vaughan,
Garland,	McFarland,	Vickers,
Garred,	McLarning,	Whitsett,
Gordon,	Miller,	Wilson,
Grundy,	Morris,	Word—65.
Hardin,	Murphy,	

Those who voted in the negative, were—

Messrs. Alexander,	Duvall,	Rodman,
Anderson,	Ewing,	Smith,
Barbee,	Headley,	Spurr,
Beaty,	Jefferson,	Swan,
Bibb,	Lewis, D. P.	Towles,
Bickley,	Lewis, R. G.	Underwood,
Blair,	McClarty,	Vertress,
Bledsoe,	Napier,	Wallace,
Chenault,	Robertson,	Woods—28.
Dodds,		

Ordered, That said bill, as amended, be engrossed and read a third time.

Mr. Hughes moved to dispense with the third reading of said bill.

And the question being taken thereon it was decided in the negative; it requiring a majority of four fifths.

The yeas and nays being required thereon by Messrs. Rodman and Vertress, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Murphy,
Messrs. Barlow,	Hardin,	Newell,
Barnes,	Harreld,	Noe,
Bassett,	Harrison,	Pope,
Best,	Harris,	Records,
Bibb,	Hayden,	Reiley,
Bickley,	Hite,	Reynolds,
Bledsoe,	Holladay,	Shawhan,
Boarman,	Hughes,	Sherwood,
Cargill,	Huston,	Speed,

Collins,	Jackson,	Stevens, J.
Conklin,	Johnson,	Stevens, S.
Cottle,	Jones,	Stuart, J.
Davis, J. W.	Leonard,	Terrill,
Davis, J.	Logan,	Thomas,
Dohoney,	Lucas.	Towles,
Dunlap,	Magruder,	Turner,
Eubank,	Mason,	Underwood,
Eversole,	McConnell,	Vaughan,
Ford,	McFarland,	Vickers,
Garland,	McLarning,	Wilson,
Garred,	Miller,	Word—67.
Gordon,		

Those who voted in the negative, were—

Messrs. Alexander,	Holton,	Rodman,
Anderson,	Jefferson,	Smith,
Barbee,	Lewis, D. P.	Spurr,
Beaty,	Lewis, R. G.	Swan,
Blair,	McClarty,	Vertress,
Dodds,	Morris,	Wallace,
Duvall,	Napier,	Whitsett,
Ewing,	Rhea,	Woods—26.
Headley,	Robertson,	

On motion of Mr. Barlow,

Ordered, That said bill have its third reading on to-morrow at 10 o'clock, A. M.

Mr. J. Stuart, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act respecting conveyances by married women, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Mr. Underwood moved to amend said bill, by adding the following engrossed clause, by way of ryder.

Mr. Grundy moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the engrossed clause, by way of ryder, be adopted?" and it was decided in the negative.

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barnes and Boarman, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Hardin,	McLarning,
Best,	Harreld,	Miller,

Bickley,	Harris,	Morris,
Blair,	Hayden,	Murphy,
Boarman,	Headley,	Newell,
Cargill,	Hite,	Noe,
Chenault,	Holton,	Pope,
Collins,	Hughes,	Reiley,
Conklin,	Jackson,	Reynolds,
Cottle,	Jefferson,	Rodman,
Daviess, W.	Jones,	Shawhan,
Davis, J. W.	Lewis, R. G.	Speed,
Dunlap,	Logan,	Stevens, S.
Duvall,	Lucas,	Stewart, J.
Eubank,	Magruder,	Swan,
Ford,	Mason,	Terrill,
Garland,	McClarty,	Towles,
Garred,	McConnell,	Wallace,
Gordon,	McFarland,	Wilson—58.
Grundy,		

Those who voted in the negative, were—

Mr. Speaker,	Dodds,	Rhea,
Messrs. Alexander,	Dohoney,	Robertson,
Barbee,	Eversole,	Spurr,
Barlow,	Ewing,	Stewart, M.
Barnes,	Harrison,	Underwood,
Bassett,	Huston,	Vaughan,
Bibb,	Leonard,	Vertress,
Bledsoe,	Lewis, D. P.	Vickers,
Davis, J.	Records,	Whitsett—27.

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.

WEDNESDAY, FEBRUARY 21, 1849.

A message was received from the Senate, announcing that they had receded from their amendment to a bill from this House, entitled, an act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to amend an act concerning mill dams and other obstructions in water courses, approved 22d February, 1797.

An act to change the time of holding the Anderson and Franklin Circuit Courts.

With amendments to the amendments to each.

That they had disagreed to bills from this House, of the following titles, viz:

An act to prevent the destruction of fish in the Little Kentucky River.

An act for the benefit of Sophia Scott.

That they had passed bills from this House, of the following titles, viz:

An act for the benefit of S. Renfro and others.

An act for the benefit of the Washington Female Seminary.

An act to establish election precincts in Calloway and Bullitt.

An act to incorporate the South Kentucky Institute.

An act to establish election precincts in Clarke, Henderson and Hart counties.

An act to incorporate the Irvine Seminary, in the county of Estill.

An act for the benefit of Milly Walker, of Fleming county.

An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.

An act to authorize the Hart County Court to establish a road.

An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.

An act authorizing the County Court of Butler to change the State rord from Bowlinggreen to Greenville.

An act to amend an act to incorporate a Turnpike Road from Washington to Murphysville, in Mason county.

An act to incorporate the Georgetown and South Elkton Turnpike Road Company.

An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.

An act to establish election precincts in Taylor and Larue counties, and for other purposes.

An act for the benefit of Lydia Hindman, of Barren county.

An act for the benefit of Elisha Jones, of Larue county.

An act for the benefit of William Harman, George W. Riddle and Clement M. Buckman.

An act for the benefit of Hiram Begley.

An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.

An act to amend an act establishing an election precinct in Mason county.

An act for the benefit of the Board of Internal Improvement of Lincoln county.

An act for the benefit of the Sheriffs of Union and Henry counties.

An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

An act authorizing the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

That they had passed bills of the following titles, viz :

An act for the benefit of the Maysville and Bracken Turnpike Road Company.

An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.

An act to incorporate the Springfield and Perryville Turnpike Road Company.

An act to amend the charter of the Maysville and Lewis county Turnpike Road Company.

An act authorizing the establishment of a State road from Pembroke to Green River.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.

An act to incorporate the Henry and Trimble Turnpike Road Company.

An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.

On motion of Mr. Garland, leave was given to bring in a bill to allow a Summer Term to the Lewis Circuit Court.

Ordered, That Messrs. Garland, J. W. Davis and Lucas, prepare and bring in the same.

Mr. Wallace from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz :

An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.

An act for the benefit of the town of Newport.

An act to charter the town of Princeton, and for other purposes.

An act for the benefit of the administrator and heirs of James G. Hazlerigg, deceased.

An act for the benefit of Radford J. Maxey, of Monroe county.

An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

An act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.

An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county, and for other purposes.

An act for the benefit of Lodge, No. 138, of Ancient York Masons.

An act for the benefit of School District No. 9, in Russell county.

An act to restore the middle term of the Campbell Circuit Court.

An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.

An act in relation to the Clerks of the Marshall Circuit and County Courts.

An act to amend the laws relating to the town of Frankfort.

An act for the benefit of John J. Greenwade, and Mary, his wife.

An act to change the name of the town of Marion, in Scott county, to that of Oxford.

An act for the benefit of the Barren River Navigation and Manufacturing Company.

An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

An act to amend an act, entitled, an act to incorporate the town of Greensburg.

An act to amend an act to incorporate the Trustees and Stockholders of the Doane and Gracey Fund.

An act for the benefit of the Sheriff of Grant county.

An act for the benefit of Abel Sullivan.

An act for the benefit of the Somerset Seminary.

An act for the benefit of George Stivers, Sr., of Clay county.

An act for the benefit of William Wallace Blackwell and others, of Clarke county.

An act to change the names of Samuel W. Grant, and others, to that of Atkinson.

An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

An act for the benefit of Nancy Strother and Margaret B. Carpenter.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

1. Mr. W. Daviess presented the remonstrance of sundry citizens of Harrodsburg and Mercer county, remonstrating against the extension of the powers of the Police Judge of that town.

2. Mr. Towles presented the petition of Peter Cogle, praying the passage of a law for an equal distribution of the property of this Commonwealth.

3. Also, the petition of Emeline Skinner, praying to be divorced from her husband.

4. Mr. McLarning presented the petition of Elizabeth Hutchinson, praying for the sale of a tract of land belonging to her deceased husband, and the proceeds to be invested in another tract of land.

5. Mr. Harrison presented the petition of Gano Henry, praying that the South Union Church, in Christian county, may be incorporated.

6. Mr. Terrill presented the petition of sundry Justices of the Peace of McCracken county, praying that power be given them to sell some lots belonging to the county.

7. Mr. Napier presented the petition of sundry citizens of Crab Orchard, praying an act of incorporation.

8. Mr. Woods presented the petition of sundry citizens of Pulaski county, praying the change of an election precinct.

9. Mr. Bickley presented the memorial of Walker Reid, Judge of the first Judicial District, remonstrating against the grievances of the people of this Commonwealth, and that district in particular.

Which were received, the reading dispensed with, and referred; the 1st and 9th to the committee on the Judiciary; the 2d to the committee on Propositions and Grievances; the 3d and 5th to the committee on Religion; the 4th to Messrs. McLarning, Harrison and Bibb; the 6th to Messrs. Terrill, J. Stuart and Underwood; the 7th to Messrs. Napier, Beatty and Anderson; and the 8th to Messrs. Woods, S. Stevens and Beatty.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Dunlap—1. A bill to incorporate the Trustees of the Harmony Church, of Garrard county.

By Mr. Grundy—2. A bill for the benefit of the children of Benjamin B. Rose.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with, the 1st was ordered to be engrossed and read a third time, and the second was referred to the committee on the Judiciary.

The rule of the House, constitutional provision and third reading of the first bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid,

A message was received from the Senate, by Mr. Russell, asking leave to withdraw their report announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act to amend an act concerning mill dams, and other obstructions in water courses, approved 22d February, 1797, with an amendment; which was granted, and the same was withdrawn.

The amendment proposed by the Senate, to the amendment of this House, to a bill from the Senate, entitled, an act to change the time of holding the Hopkins Circuit Court, and for other purposes, was taken up, twice read and concurred in.

Mr. Blair, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to divorce Brazilla Peyton and William Rankin, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Napier, from the committee on Military Affairs, to whom was referred a bill for the benefit of A. C. Daniel and others, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, by Mr. Barbour, informing this House that the Senate had appointed a committee, on their part, to act in conjunction with a similar committee, on the part of this House, to wait on the Governor and ask leave to withdraw from him an enrolled bill, entitled, an act to charter the town of Princeton, and for other purposes.

Whereupon, Messrs. Hughes, Barlow and Bibb were appointed the mittee on the part of this House.

After a short time, Mr. Hughes, from said committee, reported that the said bill had been returned by the Governor to the Senate.

On motion of Mr. J. Stevens,

Ordered, That a message be sent to the Senate to ask leave to withdraw the report of this House announcing the passage of said bill; in a short time the messenger returned with said bill.

A message was received from the Senate, by Mr. English, asking leave to withdraw their report, announcing their disagreement to a bill from this House, entitled, an act to prevent the destruction of fish in the Little Kentucky river; which was granted, and the bill was withdrawn.

An engrossed bill, entitled, an act to levy a tax of two cents on each hundred dollars worth of taxable property, for the purpose of establishing, more permanently, a Common School System in the State, was read a third time.

Mr. Newell moved the previous question.

The question was then taken, "Shall the main question be now put?' and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Rhea, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Garland,	McClarty,
Barlow,	Garred,	McLarning,
Bassett,	Gordon,	Murphy,
Best,	Harris,	Newell,
Bibb,	Headley,	Reiley,
Bledsoe,	Holladay,	Shawhan,
Cargill,	Jackson,	Stevens, J.
Collins,	Johnson,	Stevens, S.
Cottle,	Leonard,	Thomas,
Davis, J. W.	Lewis, D. P.	Vaughan,
Davis, J.	Logan,	Vickers,
Dohoney,	Lucas,	Wilson—38.
Eversole,	Mason,	

Those who voted in the negative, were—

Mr. Speaker,	Harreld,	Rhea,
Messrs. Anderson,	Hayden,	Robertson,
Barbee,	Hite,	Rodman,
Barnes,	Holton,	Smith,
Beaty,	Hughes,	Speed,
Bickley,	Huston,	Spurr,
Blair,	Jefferson,	Stuart, J.
Chenault,	Jones,	Swan,
Conklin,	Lewis, R. G.	Terrill,
Daviess, W.	Magruder,	Towles,
Dodds,	McConnell,	Turner,
Dunlap,	McFarland,	Underwood,
Duvall,	Miller,	Vertress,
Eubank,	Morris,	Wallace,
Ewing,	Napier,	Whitsett,
Ford,	Noe,	Woods,
Grundy,	Records,	Word—53.
Hardin,	Reynolds,	

After the call of the yeas and nays was through, but before the Speaker had announced the result, Mr. Newell asked leave to withdraw his motion for the previous question.

Mr. Hardin objected. The Speaker decided that the motion could be withdrawn; from which decision of the Chair, Mr. Hardin took an appeal.

The question was then taken, shall the decision of the Chair stand as the judgment of the House? and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Hayden, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Bassett,	Headley,	Shawhan,
Bledsoe,	Holladay,	Stevens, J.
Collins,	Jackson,	Stevens, S.

Cottle,	Johnson,	Stewart, M.
Dohoney,	Leonard,	Swan,
Dunlap,	Lucas,	Vaughan,
Eversole,	Mason,	Vertress,
Garland,	McConnell,	Vickers,
Garred,	Newell,	Wilson—29.
Harris,	Reiley,	

Those who voted in the negative, were—

Messrs. Alexander,	Ford,	Napier,
Barbee,	Gordon,	Noe,
Anderson,	Grundy,	Records,
Barlow,	Hardin,	Reynolds,
Barnes,	Harreld,	Rhea,
Best,	Harrison,	Robertson,
Bibb,	Hayden,	Rodman,
Bickley,	Hite,	Sherwood,
Blair,	Hughes,	Smith,
Boarman,	Huston,	Speed,
Cargill,	Jones,	Spurr,
Chenault,	Lewis, D. P.	Stuart, J.
Conklin,	Logan,	Terrill,
Daviess, W.	Magruder,	Towles,
Davis, J. W.	McClarty,	Turner,
Davis, J.	McFarland,	Underwood,
Dodds,	McLarning,	Whitsett,
Duvall,	Miller,	Woods,
Eubank,	Morris,	Word—59.
Ewing,	Murphy,	

Mr. Ewing moved to amend said bill, by adding the following engrossed clause by way of ryder, viz:

Be it further enacted, That so much of the 11th section of this act as relates to the abolition of the office of of Superintendent of Public Instruction, shall not take effect for one year; and the reports directed by this bill to be made to the Secretary of State, shall, for that time, be madeto said Superintendent, and the salary of $250 shall not be paid to said Secretary of State for that time.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Blair, were as follows, viz:

Those who voted in the affirmative, were—

Anderson,	Hite,	Rhea,
Barbee,	Holton,	Robertson,
Barnes,	Jefferson,	Rodman,
Beaty,	Jones,	Smith,
Bibb,	Lewis, D. P.	Speed,
Bickley,	Magruder,	Spurr,
Blair,	Mason,	Stewart, M.

Bledsoe,	McClarty,	Swan,
Chenault,	McFarland,	Thomas,
Daviess, W.	McLarning,	Towles,
Duvall,	Miller,	Turner,
Ewing,	Morris,	Underwood,
Ford,	Napier,	Wallace,
Hardin,	Records,	Whitsett,
Harreld,	Reynolds,	Woods—46.
Hayden,		

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Murphy,
Messrs. Barlow,	Garred,	Newell,
Bassett,	Gordon,	Noe,
Best,	Grundy,	Reiley,
Boarman,	Harrison,	Shawhan,
Cargill,	Harris,	Sherwood,
Collins,	Headley,	Stevens, J.
Conklin,	Holladay,	Stevens, S.
Cottle,	Hughes,	Stuart, J.
Davis, J. W.	Huston,	Terrill,
Davis, J.	Jackson,	Vaughan,
Dodds,	Johnson,	Vertress,
Dohoney,	Leonard,	Vickers,
Dunlap,	Logan,	Wilson,
Eubank,	Lucas,	Word—47.
Eversole,	McConnell,	

Mr. Underwood moved to amend said bill by adding the following engrossed clause by way of ryder, viz:

That said Commissioners are hereby required to settle the accounts with their Treasurer, prior in every year to their reports to the Secretary of State, and to report the result to him, and shall see, by actual count, that their said Treasurer has the amount in cash, which results from said settlement; and in the event of any deficit, to report that fact to the Secretary, and to proceed forthwith, by legal process, to collect said deficit, and to appoint and elect another Treasurer; and it shall not be lawful for the Secretary of State to make additional payments to any County Commissioners or Treasurer, who have failed, for the preeeding year, to make the settlement and report as hereby required, until said settlement and report is made.

Be it further enacted, That the offices of County Commissioner and County Treasurer shall be incompatible.

And the question being taken thereon, it was decided in the affirmative.

Mr. Barbee moved to amend said bill by adding the following engrossed clause by way of ryder, viz:

That the first section of this act shall not take effect until the year 1850.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barbee and Cargill, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Headley,	Spurr,
Anderson,	Lewis, D. P.	Stuart, J.
Barbee,	McClarty,	Swan,
Beaty,	McConnell,	Towles,
Cargill,	McLarning,	Vaughan,
Conklin,	Morris,	Vertress,
Dodds,	Robertson,	Vickers,
Dohoney,	Rodman,	Wallace—25.
Duvall,		

Those who voted in the negative, were—

Mr. Speaker,	Hardin,	Napier,
Messrs. Barlow,	Harreld,	Newell,
Barnes,	Harrison,	Noe,
Basset,	Harris,	Pope,
Best,	Hayden,	Records,
Bibb,	Hite,	Reiley,
Blair,	Holladay,	Reynolds,
Bledsoe,	Holton,	Rhea,
Boarman,	Hughes,	Shawhan,
Chenault,	Huston,	Sherwood,
Collins,	Jackson,	Smith,
Cottle,	Jefferson,	Speed,
Daviess, W.	Johnson,	Stevens, J.
Davis, J. W.	Jones,	Stevens, S.
Davis, J.	Leonard,	Stewart, M.
Dunlap,	Logan,	Terrill,
Eubank,	Lucas,	Turner,
Eversole,	Magruder,	Underwood,
Ewing,	Mason,	Whitsett,
Ford,	McFarland,	Wilson,
Garland,	Miller,	Woods,
Garred,	Murphy,	Word—67.
Grundy,		

Mr, Terrill moved to amend said bill by adding the following engrossed clause by way of ryder, viz:

Be it further enacted, That the Commissioners of the Sinking Fund shall, each year, pay over to the Secretary of State, to the credit of the School Fund, the interest now due on the School Fund, and that which may fall due annually hereafter, after first deducting, each year, the liabilities as now imposed by law on said Sinking Fund.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Terrill and Napier, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Johnson,	Speed,
Barbee,	Newell,	Stuart, J.
Dohoney,	Noe,	Terrill,
Duvall,	Pope,	Towles,
Harris,	Robertson,	Vaughan—17.
Huston,	Smith,	

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Morris,
Messrs. Anderson,	Garred,	Murphy,
Barlow,	Grundy,	Napier,
Barnes,	Hardin,	Records,
Bassett,	Harreld,	Reiley,
Beaty,	Harrison,	Reynolds,
Best,	Headley,	Rhea,
Bibb,	Hite,	Rodman,
Blair,	Holladay,	Shawhan,
Bledsoe,	Holton,	Sherwood,
Boarman,	Hughes,	Spurr,
Cargill,	Jackson,	Stevens, J.
Chenault,	Jefferson,	Stevens, S.
Collins,	Jones,	Stewart, M.
Conklin,	Leonard,	Swan,
Cottle,	Lewis, D. P.	Turner,
Daviess, W.	Logan,	Underwood,
Davis, J. W.	Lucas,	Vertress,
Davis, J.	Mason,	Vickers,
Dodds,	McClarty,	Wallace,
Dunlap,	McConnell,	Whitsett,
Eubank,	McFarland,	Wilson,
Eversole,	McLarning,	Woods,
Ewing,	Miller,	Word—73.
Ford,		

Mr. J. Stuart moved a reconsideration of the vote rejecting the engrossed ryder proposed by Mr. Ewing.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Harreld, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Rodman,
Messrs. Anderson,	Hite,	Smith,
Barbee,	Holton,	Speed,
Barnes,	Lewis, D. P.	Spurr,
Beaty,	Magruder,	Stewart, M.
Bibb,	Mason,	Stewart, J.
Bickley,	McClarty,	Swan,
Blair,	McFarland,	Towles,
Bledsoe,	Miller,	Turner,

Chenault,	Morris,	Underwood,
Daviess, W.	Pope,	Wallace,
Duvall,	Records,	Whitsett,
Ewing,	Reynolds,	Woods,
Ford,	Rhea,	Word—44.
Harreld,	Robertson,	

Those who voted in the negative, were—

Messrs. Alexander,	Garred,	McConnell,
Barlow,	Gordon,	Murphy,
Bassett,	Grundy,	Napier,
Best,	Harrison,	Newell,
Boarman,	Harris,	Noe,
Cargill,	Headley,	Reiley,
Collins,	Holladay,	Shawhan,
Conklin,	Huston,	Sherwood,
Cottle,	Jackson,	Stevens, J.
Davis, J. W.	Jefferson,	Stevens, S.
Davis, J.	Johnson,	Terrill,
Dodds,	Jones,	Vaughan,
Dohoney,	Leonard,	Vertress,
Eubank,	Logan,	Vickers,
Eversole,	Lucas,	Wilson—46.
Garland,		

Mr. Holladay moved to amend said bill by adding the following engrossed clause by way of ryder, viz:

That the Treasurer or Treasurers, appointed under this act, shall be responsible for any interest he or they may make by loaning or using the fund in his or their hands; and said Treasurers shall be compelled to report, on oath, whether they have loaned or used said fund, or any part thereof; to whom and when loaned, and at what rate per cent.; and if said Treasurer or Treasurers shall use any part of said fund, he or they, so using said fund, shall be held accountable for six per cent. interest on the amount so used for his or their own benefit, which shall be applied to the education of the children in his or their county, as provided in this act.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Holladay and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Reiley,
Messrs. Alexander,	Hardin,	Reynolds,
Anderson,	Hayden,	Rhea,
Barbee,	Headley,	Robertson,
Barnes,	Holladay,	Rodman,
Bassett,	Holton,	Smith,
Beaty,	Huston,	Speed,
Best,	Jackson,	Spurr,

Bibb,	Jefferson,	Stevens, S.
Bickley,	Johnson,	Stewart, M.
Blair,	Leonard,	Stuart, J.
Bledsoe,	Lewis, D. P.	Towles,
Boarman,	Lucas.	Turner,
Cargill,	Mason,	Underwood,
Chenault,	McConnell,	Vaughan,
Davis, J. W.	McLarning,	Wallace,
Dohoney,	Morris,	Whitsett,
Eubank,	Napier,	Wilson,
Ewing,	Newell,	Woods,
Garland,	Records,	Word—60.

Those who voted in the negative, were—

Messrs. Barlow,	Grundy,	Murphy,
Conklin,	Harreld,	Noe,
Cottle,	Harris,	Shawhan,
Daviess, W.	Hite,	Sherwood,
Davis, J.	Hughes,	Stevens, J.
Dodds,	Jones,	Swan,
Dunlap,	Logan,	Terrill,
Eversole,	Magruder,	Vertress,
Ford,	McClarty,	Vickers—29.
Gordon,	McFarland,	

Mr. Underwood moved to amend said bill by adding thereto the following engrossed clause by way of ryder, viz:

Be it further enacted, That Commissioners of the Sinking be, and they are hereby directed to deposit in the Treasury, to the credit of the Board of Education, the interest upon the bonds and lists of bonds, and the dividends of the bank stock, heretofore dedicated to the cause of Common School Education, as the same may fall due and be collected by them, or so much thereof as may remain after paying the other demands chargeable to said fund, to be appropriated for the purposes of Common School Education, as hereinbefore required.

And the question being taken thereon, it was decided in the affirmative.

And then the House adjourned.

THURSDAY, FEBRUARY 22, 1849.

A message was received from the Senate, announcing the passage of bills from this House, of the following titles, to-wit:

An act to authorize the appointment of a Police Judge in the town of Portland.

An act to repeal the charter of Augusta College.

An act to prevent the destruction of fish in the Little Kentucky River.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act to amend an act to revive the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.

An act for the benefit of Benjamin D. Beall and James Sparks.

An act for the benefit of the widow and children of Christopher Fry.

An act for the benefit of John R. Thornton and Richard Kenningham, Trustees.

An act for the benefit of Vincent Brooks.

An act for the benefit of George McFarland Hall.

An act for the benefit of Moses Hubbard and wife.

An act for the benefit of the town of Tompkinsville.

And had adopted a preamble and resolution concerning a General System of Education.

1. Mr. Harrison presented the petition of the citizens of the town of Hopkinsville, praying the passage of a law to lay off the town into wards.

2. Mr. Vertress presented the petition of John M. Potter and wife, praying a change of venue from Hardin to Larue county.

3. Also, the petition of G. Walker, praying that an additional Constable be allowed to West Point, in Hardin county.

4. Mr. Terrill presented the petition of Alfred Lewis, praying that permission be granted him to take certain negroes out of this State.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d, 3d and 4th to the committee on the Judiciary.

Mr. J. Stevens moved a reconsideration of the vote passing a bill from the Senate, entitled, an act to charter the town of Princeton, and for other purposes.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be referred to the committee on the Judiciary.

Mr. Hardin, from the committee on Internal Improvement, to whom was referred a bill for the protection of public property on Licking river, and for other purposes, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The resolution from the Senate, in relation to the settlement with the present Keeper of the Penitentiary, was taken up, twice read and concurred in.

Mr. Conklin, from the committee appointed to prepare and bring in the same, reported a bill prescribing the manner of taking bond of the State Treasurer, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with, it was referred to the committee on Ways and Means.

The House again resumed the consideration of the bill to levy a tax of two cents on each hundred dollars of taxable property, for the purpose of establishing, more permanently, a Common School Systsm in the State.

Mr. Harris moved the previous question, and it was decided in the affirmative.

The main question was then put, shall the bill pass? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Noe and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Menzies,
Messrs. Barlow,	Hardin,	Murphy,
Barnes,	Harreld,	Napier,
Bassett,	Harrison,	Newell,
Best,	Harris,	Noe,
Blair,	Hayden,	Records,
Boarman,	Holladay,	Reiley,
Chenault,	Holton,	Reynolds,
Collins,	Hughes,	Rhea,
Conklin,	Huston,	Shawhan,
Cottle,	Jackson,	Sherwood,
Daviess, W.	Jefferson,	Smith,
Davis, J. W.	Johnson,	Stevens, J.
Davis, J.	Jones,	Stevens, S.
Dunlap,	Leonard,	Terrill,
Duvall,	Logan,	Turner,
Eubank,	Lucas,	Underwood,
Eversole,	Magruder,	Vickers,
Ford,	Mason,	Whitsett,
Garland,	McFarland,	Wilson,
Garred,	McLarning,	Word—64.
Gordon,		

Those who voted in the negative, were—

Messrs. Alexander,	Ewing,	Speed,
Anderson,	Headley,	Spurr,

Barbee,	Hite,	Stuart, J.
Beaty,	Lewis, D. P.	Swan,
Bibb,	McClarty,	Thomas,
Bickley,	McConnell,	Towles,
Bledsoe,	Miller,	Vaughan,
Cargill,	Morris,	Vertress,
Dodds,	Robertson,	Wallace,
Dohoney,	Rodman,	Woods—30.

Resolved, That the title be amended to read, "an act for the benefit o Common Schools."

A message was received from the Senate, by Mr. Bruce, asking leave to withdraw their report, announcing their disagreement to a bill from this House, entitled, an act for the benefit of Sophia Scott, which was granted and the bill was withdrawn.

Mr. Rhea, from the committee on Claims, reported a bill for the appropriation of money—which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The 27th clause of the bill reads as follows:

"John Lockwood allowed for Chandeliers, Gas Apparatus, fixtures, &c., placed in the Capitol by him, twelve hundred dollars, upon condition he receive the same in full."

Mr. Pope moved to amend said clause by striking out the words "twelve hundred," and insert in lieu thereof the words "fourteen hundred and ninety-seven."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sherwood and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Jones,	Spurr,
Messrs. Hite,	Magruder,	Towles,
Holton,	Robertson,	Word—9.

Those who voted in the negative, were—

Messrs. Anderson,	Garland,	Napier,
Barbee,	Garred,	Newell,
Barlow,	Gordon,	Noe,
Barnes,	Grundy,	Records,
Bassett,	Hardin,	Reiley,
Beaty,	Harreld,	Reynolds,
Best,	Harris,	Rhea,
Bibb,	Hayden,	Rodman,
Bickley,	Headley,	Shawhan,
Blair,	Holladay,	Sherwood,
Bledsoe,	Hughes,	Smith,

Boarman,	Huston,	Speed,
Cargill,	Jackson,	Stevens, J.
Chenault,	Jefferson,	Stevens, S.
Collins,	Johnson,	Stewart, M.
Conklin,	Leonard,	Stuart, J.
Daviess, W.	Lewis, D. P.	Swan,
Davis, J. W.	Logan,	Terrill,
Davis, J.	Lucas,	Underwood,
Dodds,	Mason,	Vaughan,
Dohoney,	McClarty,	Vertress,
Duvall,	McConnell,	Vickers,
Eubank,	McFarland,	Whitsett,
Eversole,	McLarning,	Wilson,
Ewing,	Miller,	Woods—78.
Ford,	Murphy,	

Mr. Lucas moved to amend said bill by striking out the foregoing clause, making an appropriation to Lockwood for Chandeliers, &c.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lucas and Garland, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barlow,	Garred,	Mason,
Barnes,	Grundy,	Napier,
Bledsoe,	Harreld,	Newell,
Chenault,	Harris,	Shawhan,
Conklin,	Headley,	Stevens, S.
Cottle,	Jackson,	Terrill,
Davis, J. W.	Johnson,	Towles,
Dohoney,	Leonard,	Turner,
Dunlap,	Lewis, D. P.	Vaughan,
Eubank,	Logan,	Whitsett,
Eversole,	Lucas,	Woods—33.

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Reiley,
Messrs. Anderson,	Hayden,	Reynolds,
Barbee,	Hite,	Rhea,
Basset,	Holladay,	Robertson,
Beaty,	Holton,	Rodman,
Best,	Hughes,	Sherwood,
Bibb,	Huston,	Smith,
Blair,	Jones,	Speed,
Boarman,	Magruder,	Spurr,
Cargill,	McClarty,	Stevens, J.
Collins,	McConnell,	Stewart, M.
Daviess, W.	McFarland,	Stuart, J.
Davis, J.	McLarning,	Swan,
Dodds,	Menzies,	Underwood,
Duvall,	Miller,	Vertress,

Ewing,	Morris,	Vickers,
Ford,	Murphy,	Wallace,
Garland,	Noe,	Wilson,
Gordon,	Records,	Word—58.
Hardin,		

Mr. Huston moved to amend said bill by adding the following:

To Richard D. Harlan, Librarian, for servant hire in attending on the Library, taking down the books and cleaning the Library room for the year 1848, thirty-three dollars and fifty cents. *And said Librarian is hereby allowed two dollars per month, for servant hire, for the year* 1849, *to be paid to him quarterly from the Treasury.*

Mr. Conklin moved to amend the amendment by striking out that part printed in italic.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garland and Lucas, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barlow,	Dohoney,	Menzies,
Barnes,	Duvall,	Napier,
Bassett,	Eubank,	Newell,
Beaty,	Eversole,	Reiley,
Best,	Ford,	Rhea,
Bickley,	Garland,	Shawhan,
Blair,	Garred,	Sherwood,
Bledsoe,	Harreld,	Stevens, J.
Cargill,	Harris,	Stevens, S.
Chenault,	Hayden,	Underwood,
Collins,	Jackson,	Vaughan,
Conklin,	Johnson,	Vickers,
Cottle,	Leonard,	Whitsett,
Daviess, W.	Logan,	Wilson,
Davis, J. W.	Lucas,	Woods,
Davis, J.	McConnell,	Word—50.
Dodds,	McFarland,	

Those who voted in the negative, were—

Mr. Speaker,	Holladay,	Noe,
Messrs. Anderson,	Huston,	Records,
Barbee,	Jefferson,	Reynolds,
Bibb,	Jones,	Rodman,
Boarman,	Lewis, D. P.	Spurr,
Dunlap,	Magruder,	Stewart, M.
Ewing,	McClarty,	Stuart, J.
Grundy,	McLarning,	Swan,
Hardin,	Miller,	Thomas,
Headley,	Morris,	Towles—32.
Hite,	Murphy,	

The question was then taken on the adoption of the amendment as amended, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garland and Shawhan, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Murphy,
Messrs. Anderson,	Headley,	Noe,
Barbee,	Hite,	Records,
Barnes,	Holladay,	Reiley,
Bassett,	Huston,	Reynolds,
Beaty,	Jefferson,	Rodman,
Best,	Jones,	Smith,
Bibb,	Leonard,	Spurr,
Blair,	Lewis, D. P.	Stewart, M.
Boarman,	Logan,	Stuart, J.
Cargill,	Magruder,	Swan,
Chenault,	McClarty,	Thomas,
Dunlap,	McFarland,	Towles,
Duvall,	McLarning,	Vertress,
Ewing,	Menzies,	Wallace,
Grundy,	Miller,	Whitsett,
Hardin,	Morris,	Word—52.
Harrison,		

Those who voted in the negative, were—

Messrs. Barlow,	Ford,	Rhea,
Bickley,	Garland,	Shawhan,
Bledsoe,	Garred,	Sherwood,
Collins,	Harreld,	Stevens, J.
Conklin,	Harris,	Stevens, S.
Cottle,	Jackson,	Underwood,
Davis, J. W.	Johnson,	Vaughan,
Davis, J.	Lucas,	Vickers,
Dohoney,	McConnell,	Wilson,
Eubank,	Napier,	Woods—32.
Eversole,	Newell,	

The said bill was further amended.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

FRIDAY, FEBRUARY 23, 1849.

1. Mr. Grundy presented the petition of sundry citizens of Washington county, praying for an additional Constable.

2. Mr. Blair presented the petition of sundry citizens of Fleming county, praying for the sale of a Meeting and School house in said county.

3. Mr. Eversole presented the petition of Polly Rowark, praying a divorce from her husband, Carter Rowark.

Which were received, the reading dispensed with, and referred; the 1st to the committee on Propositions and Grievances; the 2d to Messrs. Blair, Morris and Miller; and the 3d to Messrs. Eversole, S. Stevens and Barlow.

A bill from the Senate entitled, an act for the benefit of certain children in District No. 1, in Graves county; was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The House according to order, took up the motion of Mr. Jones to reconsider the vote of this House, concurring in the amendment of the Senate to the resolution from this House, fixing a day for the final adjournment of the General Assembly.

Mr. Bledsoe moved the previous question.

And the question being taken thereon, it was decided in the affirmative.

The main question being then put, "Shall the vote be reconsidered?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shawhan and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Boarman,	Jones,	Smith,
Garred,	Logan,	Stewart, M.
Grundy,	Magruder,	Swan,
Hardin,	Menzies,	Thomas,
Harrison,	Murphy,	Towles,
Harris,	Noe,	Vertress,
Hite,	Pope,	Vickers,
Holton,	Reiley,	Wallace—25.
Jefferson,		

54

Those who voted in the negative, were—

Mr. Speaker,	Dunlap,	Morris,
Messrs. Alexander,	Duvall,	Napier,
Anderson,	Eubank,	Newell,
Barbee,	Eversole,	Records,
Barlow,	Ewing,	Reynolds,
Barnes,	Ford,	Rhea,
Bassett,	Garland,	Robertson,
Beaty,	Harreld,	Rodman,
Best,	Hayden,	Shawhan,
Bibb,	Headley,	Sherwood,
Bickley,	Holladay,	Speed,
Blair,	Hughes,	Spurr,
Bledsoe,	Huston,	Stevens, J.
Butler,	Jackson,	Stevens, S.
Cargill,	Leonard,	Stuart, J.
Chenault,	Lewis, D. P.	Terrill,
Collins,	Lucas,	Turner,
Conklin,	Mason,	Underwood,
Cottle,	McClarty,	Vaughan,
Davis, J. W.	McConnell,	Whitsett,
Davis, J.	McFarland,	Wilson,
Dodds,	McLarning,	Woods,
Dohoney,	Miller,	Word—69.

A message was received from the Senate, announcing their disagreement to bills from this House of the following titles, viz:

An act to change the time of holding the Garrard Circuit Court.

An act for the benefit of Harrison L. Board, guardian of Elizabeth E. Clark.

An act to extend the limits of the town of Mount Washington.

An act to change the line of Taylor and Green counties.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the Bowlinggreen Thespian Society.

An act to amend the militia law.

An act for the benefit of A. M. Vanarsdale, of Mercer county.

An act for the benefit of George T. Anderson, of Logan county.

An act for the benefit of E. S. Steed, of Graves county.

An act to change the line between the counties of Clay and Laurel.

An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.

An act for the benefit of R. P. Dodds, of Fulton county.

An act for the benefit of J. S. Golladay, of Logan county.

An act to amend, in part, the charter of the city of Louisville.

An act for the benefit of Frederick Mayberry.

An act for the benefit of S. G. Rogers.

An act for the benefit of James Penney.

An act for the benefit of Isham Jones.

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.

An act to authorize the Johnson County Court to sell a part of the Public Square in the town of Paintsville.

An act for the benefit of Milly Ann Skaggs and Warren H. Jones.

An act for the benefit of Bethania Bennet.

An act to authorize the executor or administrator of W. N. Miller to sell a slave.

An act for the benefit of Jordan Middleton and William Ratliff.

An act to incorporate the Louisville Orphans' Home Society.

An act to amend an act to incorporate the Merchants' Louisville Insurance Company.

An act to amend an act incorporating the town of East Maysville, in Mason county.

An act for the benefit of the mechanics of Nicholas county.

An act for the benefit of Philip F. Craycraft and wife.

An act for the benefit of the town of Hawesville, in Hancock county.

An act to amend the laws in relation to the trustees of the town of Burlington.

An act concerning the vacant lands in Whitley county.

An act for the benefit of Mrs. Leavy, and her children.

An act establishing a July term of the Cumberland Circuit Court.

An act for the benefit of Eden Shotwell.

An act for the benefit of the Marshal of Paducah.

An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

An act creating the office of Police Judge, in the town of Hartford, and defining his duties and powers.

An act to allow an additional Constable to Hardin county.

An act to incorporate the Harrodsburg Springs Company.

An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

An act to incorporate the Franklin Fire Company, No. 2, of Covington.

An act to allow Greenup county an additional Justice of the Peace, and additional Constables to Henry and Cumberland counties.

An act granting a change of venue to James H. Arnold.

An act to authorize the Register of the Land Office to extend a line in a survey in the name of J. Eubank, in Monroe county.

An act to change the name of Martha Trisler, and for other purposes.

An act to extend the limits of the town of Campbellsville.

An act to allow an additional Justice of the Peace to Spencer county.

An act to amend the charter of the town of Lower Clover Port.

An act for the benefit of Lucretia Gwyn.

An act to authorize the trustees of Carlisle to levy and collect an additional tax.

An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.

An act for the benefit of John B. Phelps, a lunatic.

An act for the benefit of James Tucker and his wife.

An act allowing an additional term of the Greenup Circuit Court.

An act to extend the powers of the Marshal of the city of Louisville.

An act to regulate the holding of the Kenton Circuit Court, and for other purposes.

An act to change the name of Louisa Turner and others.

With amendments to the five last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of John Morris and Job Allen, of Clay county, and others.

An act for the benefit of Wilson Evans.

An act supplemental to an act to repeal the charter of Augusta College.

An act to establish the town of Gordonsville, in Hopkins county.

An act granting a change of venue to James May.

An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

An act to amend the charter of Paducah.

An act to allow an additional Justice of the Peace to Hopkins county.

An act to establish the town of Miltonville, in Casey county.

Mr. Wallace from the committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to divorce John Adair, of Monroe county, and others.

An act to divorce John R. Pates and Ann Booker.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act declaring certain streams in Floyd and other counties navigable.

An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt river.

An act to divorce Elizabeth Lewis.

An act to divorce John and Nancy S. Cox.

An act for the benefit of John Carr, a lunatic, and Peggy Hawthorn.

An act for the benefit of A. J. Gatewood, of Barren county.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company.

An act declaring Big Mud Creek, in Butler county, a navigable stream.

An act for the divorce of John L. Vaughn, and others.

An act to modify and amend an act, entitled, an act to amend the law prohibiting the importation of slaves into this State.

An act to amend the act to incorporate the Millersburg and Cynthiana Turnpike Road Company.

An act authorizing the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

An act for the benefit of the Sheriffs of Union and Henry counties.

An act for the benefit of the Board of Internal Improvement of Lincoln county.

An act for the benefit of Elisha Jones, of Larue county.

An act to amend an act establishing election precincts in Mason county.

An act to incorporate the Eagle Manufacturing Company.

An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company, and to incorporate the Jefferson and Brownsboro' Turnpike Road Company.

An act to amend the law in relation to the Goose Creek Turnpike Road, passing through Clay and Laurel counties.

An act to allow an additional Constable to Shelby and Calloway counties.

An act for the benefit of Hiram Begley.

An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.

And bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Clark's River Bridge Company, in McCracken county.

An act for the benefit of the Leesburg Light Artillery Company.

An act for the benefit of the Sheriff of Campbell county, and for other purposes.

An act to incorporate the Maysville Cemetery Company.

An act to establish the office of Police Judge for the town of Harrisonville, in Shelby county.

An act for the benefit of the Clerks of the Marshall Circuit and County Courts.

An act to incorporate the Maysville Gas Light Company.

An act to amend the road law of Boone county.

An act respecting conveyances by married women.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act to construct a turnpike road from Versailles to the Kentucky river, at or near McCoun's ferry, and from Versailles to Munday's or Singleton's landing.

An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

An act to change the Fall Term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

An act to divorce Brazilla Peyton and William Rankin.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

An act for the benefit of Edwin Trimble, and for other purposes.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of the Hustonville Uniform Infantry Company.

An act for the benefit of the heirs of Edward Haley, deceased.

An act to incorporate the Flat Lick Seminary, in Knox county.

An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Mountsterling, to sell a part of the Parsonage lot, and for other purposes.

An act to incorporate the Green and Larue Turnpike Road Company.

An act to incorporate the town of South Carrollton, in Muhlenburg county.

An act to amend the Charter of the Louisville Marine and Fire Insurance Company.

An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

Mr. Rodman moved the following resolutions, viz:

Resolved, That this House will meet at 7 o'clock this evening, for the purpose of calling the counties and disposing of all local bills, either in the hands of select or standing committees.

Resolved, That no member shall speak more than five minutes, nor more than once upon any one subject.

Which were adopted.

Mr. Underwood moved to dispense with the rules, in order that the committee on Ways and Means might report a bill to increase the revenue.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hughes and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Eversole,	Newell,
Messrs. Alexander,	Ewing,	Noe,
Anderson,	Ford,	Pope,
Barbee,	Garland,	Records,
Barlow,	Garred,	Reiley,
Barnes,	Grundy,	Reynolds,
Bassett,	Hardin,	Robertson,
Beaty,	Harreld,	Rodman,
Bibb,	Hayden,	Shawhan,
Bickley,	Headley,	Sherwood,
Blair,	Hite,	Smith,
Bledsoe,	Huston,	Speed,
Boarman,	Jackson,	Spurr,
Butler,	Johnson,	Stevens, J.
Cargill,	Leonard,	Stevens, S.
Chenault,	Lewis, D. P.	Swan,
Collins,	Logan,	Terrill,
Conklin,	Lucas,	Thomas,
Cottle,	Magruder,	Turner,
Daviess, W.	Mason,	Underwood,
Davis, J. W.	McClarty,	Vaughan,
Davis, J.	McConnell,	Vickers,
Dodds,	McFarland,	Wallace,
Dohoney,	McLarning,	Whitsett,
Dunlap,	Miller,	Wilson,
Duvall,	Morris,	Woods,
Eubank,	Napier,	Word—81.

Those who voted in the negative, were—

Messrs. Best,	Hughes,	Murphy,
Harris,	Jones,	Towles,
Holladay,	Menzies,	Vertress—10.
Holton,		

Mr. Huston, from the committee on Ways and Means, reported a bill to increase the revenue, which was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

Ordered, That said bill be referred to a committee of the whole House.

The House accordingly resolved itself into a committee of the whole on said bill, Mr. Huston in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Huston reported that the

committee had, according to order, had under consideration the bill aforesaid, and had instructed him to report the same to the House without amendment, which he handed in at the Clerk's table.

Mr. Hughes then moved to amend said bill by adding the following, viz:

WHEREAS, It is represented to the present General Assembly, that many persons in this State are anxious to erect Billard Tables, for amusement and not for the purpose of gaming. Therefore—

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever any person or persons in this State shall pay over to the Clerk of the County Court of their county, the sum of five hundred dollars, it shall be the duty of said Clerk to issue a license, authorizing said person or persons to erect and keep a Billiard Table for the term of one year: *Provided, however*, That before said license shall issue, said person or persons shall make oath, before said Clerk, that he or they will not permit any money, property, or other thing of value, to be bet on any game played on said Table; which license shall be renewed, annually, by said Clerk, upon said person or persons re-taking said oath, and paying to said Clerk the sum of five hundred dollars.

SEC. 2. *Be it further enacted*, That it shall be the duty of said person or persons to require any agent he, she or they may appoint to attend to said Table, to take an oath that he or they will not permit any money, property or orther thing of value, to be bet on any game played on said Table: *Provided*, That said person or persons shall be liable to all the pains and penalties denounced against the offence of erecting and keeping a Billiard Table, if he, she or they permit any money, property, or other thing of value, to be bet on any game played on said Table; and the proprietor of such Billiard Table shall give bond, in the Clerk's office of the County Court of the county in which said Billiard Table may be situated, with security, to be approved by the Clerk, in the penalty of $2,000, conditioned that he will permit no gambling of any kind upon said Table, and that no riotous or disorderly conduct shall be allowed or permitted in, or upon the premises where said Table is kept.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Magruder and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Pope,
Messrs. Alexander,	Grundy,	Reynolds,
Barbee,	Hardin,	Robertson,
Barnes,	Harreld,	Shawhan,
Beaty,	Harris,	Sherwood,
Bickley,	Hayden,	Spurr,
Bledsoe,	Holladay,	Swan,
Collins,	Holton,	Thomas,
Cottle,	Hughes,	Towles,
Daviess, W.	Johnson,	Vertress,
Dohoney,	Lewis, D. P.	Wilson,
Dunlap,	Murphy,	Word—36.

Those who voted in the negative, were—

Messrs. Anderson,	Headley,	Newell,
Barlow,	Hite,	Noe,
Bassett,	Huston,	Records,
Best,	Jackson,	Reiley,
Bibb,	Jefferson,	Rhea,
Blair,	Jones,	Rodman,
Boarman,	Leonard,	Smith,
Butler,	Logan,	Stevens, J.
Cargill,	Lucas,	Stevens, S.
Chenault,	Magruder,	Stewart, M.
Conklin,	Mason,	Stuart, J.
Davis, J. W.	McClarty,	Terrill,
Davis, J.	McConnell,	Turner,
Dodds,	McFarland,	Underwood,
Duvall,	McLarning,	Vaughan,
Eubank,	Menzies,	Vickers,
Eversole,	Miller,	Wallace,
Ewing,	Morris,	Whitsett,
Ford,	Napier,	Woods—58.
Garland,		

The said bill was amended, and as amended, reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the several Sheriffs of this Commonwealth to collect and pay into the public Treasury, three cents, in addition to the tax now imposed by law, upon every one hundred dollars worth of property now subject to taxation, and liable to be assessed under the existing revenue laws of this Commonwealth, which additional tax of three cents, as aforesaid, shall be collectable only for the year 1849, to pay the expenses of the approaching Convention, and to supply the deficiency, if any exist, from the alleged defalcation of the late Treasurer.

SEC. 2. That, instead of the sums now required by law to be paid by the owners and keepers of a menagerie, circus, wax figures, show, exhibition, or theatrical performance, there shall be paid, by such owners or keepers, in advance, for their license, as now required by law, the sum of one dollar per day, for each and every day's exhibition thereof, for each one hundred voters contained in the county in which such exhibition, show or performance may be exhibited or made; the license for such exhibitions to be obtained and paid for in the manner now directed by law.

SEC. 3. That, from and after the passage of this act, no merchant or vender of any goods, wares or merchandise, shall be permitted to sell spirituous liquors in quantities now provided by law, until he or they shall first obtain from the Clerk of the County Court, where he or they may reside, a license to sell the same for twelve months, and shall pay the Clerk aforesaid, the sum of five dollars for such license, which shall be paid into the Treasury as other taxes received by the Clerks of County Courts are now paid into the Treasury.

SEC. 4. That if any merchant or vender of any such goods, wares or merchandise, proceed to sell any spirituous liquors, contrary to the provisions of the third section of this act, he or they shall be subject to all

the penalties imposed upon tavern keepers for selling spirituous liquors without license, and to be recovered and appropriated in the same manner.

SEC. 5. That it shall be the duty of each and every proprietor of any nine or ten pin alley which has heretofore been erected, and is now kept, or which may hereafter be erected and kept in this Commonwealth, to pay to the Clerk of the County Court of the county in which such alley is erected and kept, the sum of ten dollars annually; and shall execute bond in the Clerk's office, in a penalty of one hundred dollars, with good security, to be approved by said Clerk, conditioned that no gaming or riotous or disorderly conduct shall be allowed upon said alley, or in the building containing the same; and the Clerk shall, thereupon, grant or permit such person or persons to keep such alley for the space of one year; and the Clerk shall account for all sums of money paid, by virtue of this act, as other taxes are now accounted for by law.

SEC. 6. That if any person shall hereafter presume to keep any nine or ten pin alley, without first having complied with the provisions of the fifth section of this act, such person shall forfeit, and pay to the Commonwealth, the sum of one hundred dollars, to be recovered by information or indictment, and applied as other fines and forfeitures are now applied by law; and if any keeper or keepers of any such alley shall violate, or knowingly permit to be violated, the condition of his bond provided for as above, he and his sureties may be sued thereon in any Court of this Commonwealth, having jurisdiction of the same, and the penalty of such bond be recovered and applied as other forfeitures.

SEC. 7. That, hereafter, before any plat and certificate of survey shall be received into the Land Office of this Commonwealth, or registered therein, the owner or holder of such survey shall first pay to the Register, as follows, to-wit: for every survey containing four hundred acres or under that quantity, the sum of one dollar; and for every hundred acres contained in any such survey, over and above four hundred, an additional sum of ten cents shall be in like manner paid; which sums shall be in full for all services performed by said Register in every such case, up to, and including the issuing grant; which several sums, when received by the Register, shall be accounted for and paid into the Treasury of this Commonwealth as other fees paid into said office.

SEC. 8. *Be it further enacted*, That the owner or holder of all surveys founded on donation warrants, or warrants from the County Courts, which have been made prior to the passage of this act, and are not yet registered in the Land Office, shall have twelve months, from and after the passage of this act, to return and have the same registered; and on all surveys which may be hereafter made, founded on either class of warrants herein before mentioned, the owner or holder thereof shall be required to return and have the same registered in the Land Office within twelve months from and after the making said surveys respectively; and in case the owner or holder of any such survey or surveys shall fail to have the same registered in the Land Office within the time herein and hereby prescribed, the Register of the Land Office shall not receive or register the same; and every such survey, and the entry on which it is founded, shall be, and the same is hereby declared null and void, and all land embraced or included in such entry and survey shall be subject to entry, or appropriation,

by any other person, in the same manner as other vacant lands may be appropriated under the laws of this Commonwealth.

SEC. 9. Hereafter, when any County Court grants a tavern privilege, the Court shall order the Clerk of the Court to issue a license for the same, as soon as such applicant produces to the Clerk the Sheriff's receipt for ten dollars, the amount of tax.

SEC. 10. Hereafter it shall be the duty of all persons who stand a stud, jack or bull, to pay the amount of the license money to the Sheriff of the county where the stud, jack or bull may stand; and the Clerk of the County Court shall not grant any license for the standing of the aforesaid animal until the owner produces the Sheriff's receipt for the standing money.

SEC. 11. It shall be the duty of the County Court Clerk of each county to file the Sheriff's receipt for all the license money received as aforesaid; and, by the first day of September, in each year, he shall copy and forward to the Second Auditor, a full and complete list of all such receipts, showing the amount, from whom received, and for what purpose received; and it shall also be the duty of the Sheriff, by the 1st day of September, in each year, to make similar return. The County Court Clerks shall be allowed 25 cents, to be paid by the parties, for issuing each license, and the Sheriff shall be allowed 3 per cent. for collecting and paying over; and the Sheriff shall pay into the Treasury all moneys collected under this act, at the same time the revenue is paid, and be subject to the same penalties in case of failure to pay.

SEC. 12. *Be it further enacted*, That it shall be the duty of the several Judges of the Circuit Courts of this Commonwealth, at each term of their respective Courts, to specially give in charge to the Grand Jury of each county, the 5th and 11th sections of an act, entitled, an act to add to the resources of the Sinking Fund, approved March 11th, 1843; and it shall be the duty of the several Attorneys for the Commonwealth, to prosecute for all violations of the said sections of said act; and the said Attorney shall be entitled to receive 20 per cent. of all moneys which may be collected for violations of said act.

SEC. 13. *Be it further enacted*, That it shall be the duty of the Clerks of the Circuit Courts in this Commonwealth, at least thirty days before the meeting of each Circuit Court, to issue a summons to all merchants and pedlers in their county, directing them to appear before the Clerk of the County Court, on or before the first day of the term of said Circuit Court, and answer, or otherwise to report to him, upon oath, the following questions, viz: Have you or not, during this year, sold, or caused to be sold, any packs of playing cards? 2d. If so, how many packs have you sold? And should it appear, by the answers to those questions, that any packs of playing cards have been sold, then, in that event, the said merchant or pedler shall, then and there, for the benefit of the Treasury, pay to the said Clerk of the County Court, at the rate of twenty five cents for each and every pack so sold; and should any merchant or pedler, so summoned, fail or refuse to appear and answer, as directed or fail to pay the tax imposed in this bill, he or they shall suffer and pay a penalty of one hundred dollars, to be recovered by presentment or indictment, before any Court of competent jurisdiction in this Commonwealth.

SEC. 14. That the Governor be, and he is hereby requested, as soon as practicable, to ascertain all public defaulters to this Commonwealth, and

their probable ability to make good the amount of their said defalcations, in whole or in part; and if, in his opinion, they are able to pay as much as ten per cent. thereon, to cause suit to be brought against all persons legally bound therefor, for the recovery thereof, unless the same be settled or adjusted on or before the 1st day of June next.

Mr. Mason moved to amend said bill by striking out the first section.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cottle and Huston, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barbee,	Garred,	Noe,
Barlow,	Grundy,	Records,
Bassett,	Harreld,	Rhea,
Beaty,	Harris,	Rodman,
Bibb,	Hayden,	Shawhan,
Bledsoe,	Headley,	Sherwood,
Cargill,	Holladay,	Stevens, J.
Collins,	Hughes,	Stevens, S.
Conklin,	Jackson,	Stewart, M.
Cottle,	Leonard,	Turner,
Daviess, W.	Lewis, D. P.	Underwood,
Davis, J. W.	Logan,	Vaughan,
Davis, J.	Lucas,	Vertress,
Dodds,	Magruder,	Vickers,
Dohoney,	Mason,	Wallace,
Eubank,	McClarty,	Whitsett,
Eversole,	McConnell,	Wilson,
Ewing,	McFarland,	Woods,
Ford,	Murphy,	Word—59.
Garland,	Napier,	

Those who voted in the negative, were—

Mr. Speaker,	Hardin,	Reiley,
Messrs. Alexander,	Harrison,	Reynolds,
Anderson,	Hite,	Robertson,
Barnes,	Holton,	Smith,
Best,	Huston,	Speed,
Bickley,	Johnson,	Spurr,
Boarman,	McLarning,	Stuart, J.
Chenault,	Miller,	Swan,
Dunlap,	Morris,	Terrill,
Duvall,	Newell,	Towles—32.
Gordon,	Pope,	

Mr. Headley moved to amend said bill by striking out the third section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Headley and Garred, were as follows, viz;

Those who voted in the affirmative, were—

Messrs. Anderson,	Duvall,	Noe,
Barbee,	Gordon,	Records,
Barlow,	Grundy,	Shawhan,
Bassett,	Headley,	Stevens, S.
Bibb,	Hughes,	Terrill,
Bledsoe,	Huston,	Vaughan,
Cottle,	Lucas,	Vickers,
Davis, J. W.	McConnell,	Whitsett,
Dohoney,	Murphy,	Wilson—28.
Dunlap,		

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Reiley,
Messrs. Alexander,	Hayden,	Reynolds,
Barnes,	Hite,	Rhea,
Beaty,	Holton,	Robertson,
Best,	Jackson,	Rodman,
Boarman,	Johnson,	Sherwood,
Chenault,	Leonard,	Smith,
Collins,	Lewis, D. P.	Spurr,
Conklin,	Logan,	Stevens, J.
Davis, J.	Magruder,	Stewart, M.
Dodds,	McFarland,	Stuart, J.
Eubank,	McLarning,	Swan,
Eversole,	Menzies,	Towles,
Ewing,	Miller,	Turner,
Ford,	Morris,	Underwood,
Garland,	Napier,	Vertress,
Garred,	Newell,	Woods,
Hardin,	Pope,	Word—55.
Harreld,		

Mr. J. W. Davis moved to amend said bill by adding the following, viz:

Be it enacted, That, hereafter, each Clerk of every court of record in this Commonwealth, shall keep, in a book to be provided for that purpose, a fair and accurate account of all the fees and proceeds and profits of every kind, whatever; and shall, semi-annually, settle the same with a Commissioner to be appointed by the Court of which he is Clerk.

Be it enacted, That every Sheriff of each county of this Commonwealth, and each Marshal of the same, shall keep a fair and accurate account of all the fees and profits of their offices, respectively, and settle the same with a Commissioner to be appointed by the court of which they shall be an officer.

Be it enacted, That the proceeds of the office of the Court of Appeals, and all the other Clerks' offices in this Commonwealth, and the proceeds of all the Sheriffs' fees, and all the proceeds of the fees of the Marshals of this State, shall go towards the payment of the expenses of the Conventions of this State, except so much as shall be allowed said officers by the section of this act.

Be it further enacted, That the Clerk of the Court of Appeals shall be allowed to retain out of his fees the sum of ($5,000) five thousand dollars; and the Clerk of each Circuit, County, Criminal and Chancery Court, and each Sheriff and Marshal, shall be allowed to retain, out of the proceeds of the fees of their respective offices, the sum of fifteen hundred dollars, each.

Be it enacted, That the court of which any Clerk may be the keeper of the records, shall have the power to make an allowance, in open court, to its Clerk, for assistant Clerk or Clerks, if such court shall be of opinion that the business of said court cannot be done by one competent Clerk.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garland and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Garred,	Napier,
Barlow,	Harris,	Newell,
Collins,	Headley,	Shawhan,
Davis, J. W.	Hughes,	Stevens, S.
Dohoney,	Jackson,	Woods—17.
Garland,	Leonard,	

Those who voted in the negative, were—

Mr. Speaker,	Harrison,	Reynolds,
Messrs. Alexander,	Hayden,	Rhea,
Barbee,	Hite,	Robertson,
Bassett,	Holladay,	Rodman,
Beaty,	Holton,	Sherwood,
Best,	Huston,	Smith,
Bibb,	Johnson,	Speed,
Bledsoe,	Lewis, D. P.	Spurr,
Boarman,	Logan,	Stevens, J.
Chenault,	Lucas,	Stewart, M.
Conklin,	Magruder,	Stuart, J.
Cottle,	Mason,	Swan,
Daviess, W.	McClarty,	Terrill,
Davis, J.	McConnell,	Thomas,
Dodds,	McFarland,	Towles,
Dunlap,	McLarning,	Turner,
Duvall,	Menzies,	Underwood,
Eubank,	Miller,	Vaughan,
Eversole,	Morris,	Vertress,
Ewing,	Murphy,	Vickers,
Ford,	Noe,	Wallace,
Gordon,	Pope,	Whitsett,
Grundy,	Records,	Wilson,
Hardin,	Reiley,	Word—73.
Harreld,		

Mr. Underwood moved to amend said bill by adding the following, viz:

That if the means and resources herein provided, and the ordinary revenue of the State, are not sufficient to pay the expenses and appropriations for the year 1849, it shall be lawful for the Governor to borrow, on the faith of the State, so much money, at an interest not to exceed six per cent. per annum, and for a time not to exceed five years, as will be sufficient to supply the actual deficiency.

And the question being taken on adopting the same, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Huston and Underwood, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Basset,	Ford,	Napier,
Beaty,	Harreld,	Noe,
Bibb,	Headley,	Records,
Bledsoe,	Hite,	Stevens, J.
Collins,	Johnson,	Thomas,
Cottle,	McConnell,	Underwood,
Daviess, W.	McFarland,	Wilson,
Davis, J.	Menzies,	Woods—25.
Eubank,		

Those who voted in the negative, were—

Mr. Speaker,	Harris,	Reynolds,
Messrs. Alexander,	Hayden,	Rhea,
Anderson,	Holladay,	Robertson,
Barbee,	Holton,	Rodman,
Barlow,	Hughes,	Shawhan,
Best,	Huston,	Sherwood,
Boarman,	Jackson,	Smith,
Cargill,	Leonard,	Speed,
Conklin,	Lewis, D. P.	Spurr,
Davis, J. W.	Logan,	Stevens, S.
Dodds,	Lucas,	Stuart, J.
Dohoney,	Magruder,	Swan,
Dunlap,	Mason,	Terrill,
Duvall,	McClarty,	Towles,
Eversole,	McLarning,	Turner,
Ewing,	Miller,	Vaughan,
Garland,	Morris,	Vertress,
Garred,	Murphy,	Vickers,
Gordon,	Newell,	Wallace,
Grundy,	Pope,	Whitsett,
Hardin,	Reiley,	Word—64.
Harrison,		

Mr. Miller then moved to amend said bill by adding the following, viz:

Be it further enacted, That it shall be the duty of the several Sheriffs of this Commonwealth, to collect and pay into the Treasury, two cents in

addition to the tax now imposed by law, upon every one hundred dollars worth of property now subject to taxation, and liable to be assessed under the existing revenue laws of this Commonwealth; which additional tax of two cents, as aforesaid, shall be collectable only for the year 1849, to pay the expenses of the approaching Convention.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dohoney and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hite,	Murphy,
Messrs. Alexander,	Holton,	Pope,
Anderson,	Hughes,	Reiley,
Best,	Huston,	Reynolds,
Boarman,	Johnson,	Robertson,
Chenault,	Lewis, D. P.	Rodman,
Duvall,	Magruder,	Smith,
Ewing,	McClarty,	Speed,
Gordon,	McFarland,	Spurr,
Hardin,	McLarning,	Stuart, J.
Harrison,	Miller,	Swan,
Hayden,	Morris,	Terrill—36.

Those who voted in the negative, were—

Messrs. Barbee,	Garland,	Rhea,
Barlow,	Garred,	Shawhan,
Bassett,	Grundy,	Sherwood,
Bibb,	Harreld,	Stevens, J.
Bledsoe,	Harris,	Stevens, S.
Cargill,	Headley,	Thomas,
Collins,	Holladay,	Towles,
Conklin,	Jackson,	Turner,
Cottle,	Leonard,	Underwood,
Daviess, W.	Logan,	Vaughan,
Davis, J. W.	Lucas,	Vertress,
Davis, J.	Mason,	Vickers,
Dodds,	McConnell,	Wallace,
Dohoney,	Napier,	Whitsett,
Dunlap,	Newell,	Wilson,
Eubank,	Noe,	Woods,
Eversole,	Records,	Word—52.
Ford,		

The House then proceeded under the resolution proposed by Mr. Rodman of this day.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Magruder—1. A bill to incorporate the town of Clayvillage, in Shelby county, and Crab Orchard, in Lincoln county.

By Mr. Terrill—2. A bill for the benefit of McCracken county.

By the committee on Religion—3. A bill to incorporate the Vestry of Grace Church at Paducah.

By same—4. A bill to divorce Ambrose R. Wright, Samuel Hall, and Mary E. Taylor.

By same—5. A bill to divorce Eli Jester and Catharine A. Jester, and others.

By the committee on Internal Improvement—6. A bill to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company, and the act to incorporate the Paris and Combs' Ferry Turnpike Road Company, and for other purposes.

By same—7. A bill for the benefit of Lot Adams, of Morgan county.

By Mr. McClarty—8. A bill for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.

By the committee on Propositions and Grievances—9. A bill authorizing the running of the dividing line between the counties of Campbell and Pendleton.

By Mr. McLarning—10. A bill for the benefit of the widow and heirs of James Hutcheson, deceased.

By Mr. Eversole—11. A bill to divorce Polly Rowark.

By the committee on Propositions and Grievances—12. A bill to change the lines between the counties of Perry and Breathitt.

By the committee on Claims—13. A bill for the benefit of Joseph Riddle, of Cumberland county.

By the committee on Religion—14. A bill to divorce William C. Carnahan and others.

By same—15. A bill to divorce James D. Franks and William A. Bishop.

By same—16. A bill for the benefit of Rebecca Aron and Nancy L. Rose.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor, by the Secretary of State, which is as follows, viz:

EXECUTIVE OFFICE,
February 22d, 1849.

Gentlemen of the Senate
and House of Representatives:

I would respectfully invite your attention to the enclosed resolutions of the Legislature of Tennessee, and to the letter of the Governor of

that State, accompanying the same. These papers were submitted to the last General Assembly by my predecessor, but no definite action was had upon them. I have, since your body has been in session, received a letter from the Governor of Tennessee, pressing the importance to that State of the subject to which the resolutions refer, and I therefore submit them to you, hoping that they will receive that consideration to which a sister State deems them entitled, from their importance to many of her citizens.

J. J. CRITTENDEN.

Resolution directory to the Governor of Tennessee.

By an act of the General Assembly of Tennessee, passed the 20th of January, 1844, making it the duty of the Governor of Tennessee, to appoint two Commissioners, to meet two Commissioners on the part of Kentucky, to run and re-mark the State line between Tennessee and Kentucky—said Commissioners performed the duty assigned to them, and made their report to the last General Assemby of this State, then in session, which report was concurred in, but Kentucky has taken no action thereupon. Therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Governor of Tennessee be requested to correspond with the Governor of Kentucky, asking action on the part of Kentucky, upon said report, and the communication thereof to the Governor of Tennessee, so that the same may be laid before this General Assembly.

F. BUCHANAN,
Speaker of the House of Representatives.
J. M. ANDERSON,
Speaker of the Senate.

Adopted January 11th, 1848.

STATE DEPARTMENT,
Nashville, January 20th, 1848.

I, William B. A. Ranney, Secretary of State for the State of Tennessee, do hereby certify the foregoing to be a full and true copy of a resolution adopted by the General Assembly of said State, as appears from the original now on file in my office.

W. B. A. RANNEY,
Secretary of State.

EXECUTIVE DEPARTMENT,
Nashville, January 20th, 1848.

SIR: I have the honor to enclose to you, the annexed resolution of our present General Assembly, and your earliest attention is respectfully solicited to the subject therein referred to. Our General Assembly will probably close its session by the first of February, and desire the information sought, if possible, before the adjournment.

Very Respectfully, N. S. BROWN.

His Excellency, WILLIAM OWSLEY.

Ordered, That said message be referred to the committee on Federal Relations.

Mr. Hite, from the committee on Religion, to whom was referred bills from the Senate, of the following titles, viz:

An act to divorce Thomas T. Tindell and Nancy Bell.

An act to divorce Joseph Howard.

An act to divorce Mary Catharine Duncan and Owen C. Turner.

An act for the benefit of Jane Duddy.

An act for the benefit of Margaret Wilson and others.

An act to divorce Edward S. Bowman and Hickerson Smith.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Blair, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act divorcing Henrietta Dupuy, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title thereof be amended by adding, "and others."

Mr. Rhea, from the committee on Claims, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of James A. Wilson.

An act for the benefit of William Griffy.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Pope, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross Mill Turnpike Road Company.

An act legalizing the organization and first election of the officers by the Dry Creek and Covington Turnpike Road Company.

An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

An act to incorporate the Newtown and Leesburg Turnpike Road Company.

An act for the benefit of John J. Anderson.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:

An act to amend an act to revive the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.

An act for the benefit of the widow and children of Christopher Fry, deceased.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Pope, from the committee on Internal Improvement, to whom was referred the petition of Isaac Buck, reported the same with the following resolution, viz:

Resolved, That said petition be rejected.

Which was concurred in.

Mr. Huston, from the committee on Ways and Means, to whom was referred a bill for the benefit of Christopher D. Weymouth, reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Hite, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Willian L. Owens and others, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Pope, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of

the Campbell Turnpike Road Company, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be amended by adding "and for other purposes."

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act authorizing the confinement of offenders against the ordinances of the city of Maysville in the county jail and jail yard in said city.

Aproved February 17th, 1849.

An act to incorporate the St. Louis and New Orleans Telegraph Company.

An act to incorporate the Russellville and Nashville Turnpike Road Company.

An act divorcing Benjamin R. Gaines and wife, and for other purposes.

An act allowing an additional Constable to Larue county.

An act to amend the road law in the county of Campbell.

An act to regulate the public roads in Bullitt county.

An act to change an election precinct in the county of Pulaski.

An act to change a State road in Christian county.

An act for the benefit of Ralph F. Wood, of Barren county.

An act to incorporate the Trustees of the Parsonage of the Methodist Episcopal Church, South, in Floydsburg, Oldham county.

An act for for the benefit of the Trustees of the First Presbyterian Church, in Shelbyville.

An act for the benefit of the Mechanics of Estill and Owsley.

An act for the benefit of the widow and heirs of Henry Durrett, deceased.

An act to amend an act, entitled, an act to establish the town of Milton, approved February 4, 1846.

An act to amend an act regulating the town of Salvisa, in Mercer county, approved February 9, 1828.

An act to authorize the Clerk of the Breckinridge County Court to transcribe certain records.

An act to incorporate the Odd Fellows Hall Association in Henderson.

An act to establish the Louisville Commercial College.

An act to establish the Covington Commercial College.

An act authorizing a re-conveyance of ten acres of land, on Barren river, to T. L. Stephens and James Ford.

An act to reduce into one the several acts concerning the town of Lagrange.

An act to repeal, in part, an act declaring Pond River a navigable stream.

An act for the benefit of Rebecca Royse, of Fleming county.

An act supplemental to an act to erect a monument to those who have fallen in defence of their country, approved February 25, 1848.

An act authorizing the Trustees of Germantown to appoint an Assessor for special purposes.

An act for the benefit of Nathan Wallis, of Hickman county, and Robt. Taylor, of Monroe county.

An act to allow J. L. Jones and John Adams to erect a mill dam on Licking River.

An act to authorize the President and Directors of the Turnpike Road between Bowlinggreen and Franklin to locate a toll gate within one mile of Bowlinggreen.

An act for the benefit of George W. Finnie.

An act to legalize the proceedings of a special term of the Estill County Court.

An act to extend the limits of the town of Ghent.

An act to incorporate the Grayson and Catlettsburg Railroad Company.

An act to incorporate the Paris and North Middletown Turnpike Road Company.

An act to authorize the County Courts of Boyle and Lincoln to take stock in certain Turnpike Roads.

An act to allow the County Court of Lewis to apply the proceeds of the vacant lands of said county to the improvement of the navigation of Kinnicanick, and for other purposes.

An act to divorce David C. Spencer.

An act to divorce John M. Crane.

An act to divorce E. V. Scruggs.

An act to divorce George Boulton.

An act to divorce Tilman H. and Julia Ann Steele.

An act to divorce Edward Pelouze.

An act to divorce Mary Ann Carpenter.

An act to divorce John G. Brown.

An act to divorce Sarah Lorispaugh, and for other purposes.

Approved February 21st, 1849.

An act to divorce John R. Pates and Ann Booker.

An act to divorce John Adair, of Monroe county, and others.

An act to declare certain streams in Floyd and other counties navigable.

An act to amend the law establishing the town of Creelsboro', approved 9th February, 1819.

An act to authorize the payment of the amount due to the Commissioners of the road from Bowlinggreen to the mouth of Salt river.

An act to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

An act to divorce John and Nancy S. Cox.

An act to divorce Elizabeth Lewis.

An act to incorporate the Owingsville and Sharpsburg Turnpike Road Company, and for other purposes.

An act for the divorce of John L. Vaughn, and others.

An act declaring Big Mud Creek, in Butler county, a navigable stream.

An act authorizing the County Court of Fayette to take stock in the Frankfort and Lexington Railroad Company.

An act for the benefit of the Board of Internal Improvement of Lincoln county.

An act for the benefit of the Sheriffs of Union and Henry counties.

An act to amend the charter of the Louisville and Taylorsville Turnpike Road Company, and to incorporate the Jefferson and Brownsboro' Turnpike Road Company.

An act for the benefit of John Carr, a lunatic, and Peggy Hawthorn.

An act for the benefit of A. J. Gatewood, of Barren county.

An act to allow an additional Constable to Shelby county and Calloway county.

An act to amend the law in relation to the Goose Creek Turnpike Road, passing through Clay and Laurel counties.

An act for the benefit of Hiram Begley.

An act for the benefit of Reuben McCarty, Clerk of the Pendleton County and Circuit Courts.

An act to incorporate the Eagle Manufacturing Company.

An act to amend an act establishing election precincts in Mason county.

An act for the benefit of Elisha Jones, of Larue county.

Approved February 23, 1849.

Mr. Cargill, from the committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled, an act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes, reported the same with an amendment, which was concurred in.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

At 12 o'clock at night, Mr. Towles moved an adjournment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Boarman and Towles, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garland,	Miller,
Messrs. Barbee,	Grundy,	Morris,
Beaty,	Harreld,	Noe,
Best,	Harrison,	Pope,
Cargill,	Headley,	Reiley,
Davis, J. W.	Hite,	Sherwood,
Dodds,	Jones,	Spurr,
Eubank,	Mason,	Towles,
Eversole,	McConnell,	Vickers,
Ewing,	Menzies,	Word—31.
Ford,		

Those who voted in the negative, were—

Messrs. Anderson,	Garred,	Rodman,
Barlow,	Gordon,	Shawhan,
Bassett,	Hardin,	Speed,
Bibb,	Harris,	Stevens, S.
Bickley,	Huston,	Stuart, J.
Blair,	Jackson,	Swan,
Boarman,	Jefferson,	Terrill,
Chenault,	Leonard,	Turner,
Collins,	Logan,	Vaughan,
Conklin,	Napier,	Vertress,
Daviess, W.	Reynolds,	Wallace,
Davis, J.	Rhea,	Wilson,
Dunlap,	Robertson,	Woods—39.

Mr. Wallace moved the following resolution, viz:

Resolved, That this House proceed with the call of the counties to-morrow morning after the presentation of petitions, until all of the counties are called.

Which was adopted

And then the House adjourned.

SATURDAY, FEBRUARY 24, 1849.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to establish an election precinct at Ballardsville, in Oldham county.

An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2d, 1844.

An act for the benefit of Common Schools.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of Henry M. Lutes, of Owsley county.

An act to establish an election precinct in Shelby county, and one in Clay county.

An act for the benefit of those who have imported slaves contrary to the law of 1833.

Mr. Hite moved a reconsideration of the vote taken on yesterday, adopting the resolution proposed by Mr. Wallace.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bibb and Barnes, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Gordon,	Rhea,
Messrs. Barbee,	Hite,	Rodman,
Barlow,	Holton,	Shawhan,
Bassett,	Hughes,	Sherwood,
Best,	Jones,	Smith,
Blair,	Logan,	Speed,
Bledsoe,	Lucas,	Spurr,
Butler,	McConnell,	Stevens, J.
Cargill,	McFarland,	Stuart, J.
Collins,	Menzies,	Towles,
Conklin,	Miller,	Turner,
Cottle,	Morris,	Underwood,
Dodds,	Napier,	Vaughan,
Dohoney,	Newell,	Vickers,
Ford,	Noe,	Whitsett,
Garland,	Records,	Word—48.

Those who voted in the negative, were—

Messrs. Anderson,	Ewing,	Mason,
Barnes,	Harreld,	Pope,

Beaty,	Harrison,	Reiley,
Bibb,	Harris,	Reynolds,
Chenault,	Hayden,	Robertson,
Davis, J. W.	Headley,	Stewart, M.
Davis, J.	Holladay,	Swan,
Dunlap,	Huston,	Thomas,
Duvall,	Jackson,	Wallace,
Eubank,	Jefferson,	Wilson,
Eversole,	Leonard,	Woods—33.

The question was again taken on adopting said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hughes and Gordon, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Harreld,	Pope,
Barnes,	Harris,	Reiley,
Beaty,	Hayden,	Reynolds,
Bibb,	Headley,	Robertson,
Blair,	Holladay,	Rodman,
Daviess, W.	Huston,	Smith,
Davis, J. W.	Jefferson,	Stewart, M.
Davis, J.	Leonard,	Swan,
Dunlap,	Mason,	Terrill,
Duvall,	McClarty,	Wallace,
Eubank,	Miller,	Wilson,
Ewing,	Noe,	Woods—37.
Grundy,		

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Newell,
Messrs. Alexander,	Gordon,	Records,
Barbee,	Hardin,	Rhea,
Barlow,	Harrison,	Shawhan,
Bassett,	Hite,	Sherwood,
Best,	Holton,	Speed,
Bledsoe,	Hughes,	Spurr,
Butler,	Jones,	Stevens, J.
Cargill,	Logan,	Stuart, J.
Chenault,	Lucas,	Towles,
Collins,	Magruder,	Turner,
Conklin,	McConnell,	Underwood,
Cottle,	McFarland,	Vaughan,
Dodds,	McLarning,	Vertress,
Dohoney,	Menzies,	Vickers,
Eversole,	Morris,	Whitsett,
Ford,	Napier,	Word—51.

1. Mr. Whitsett presented the petition of sundry citizens of Barren county, praying for a Turnpike Road from the Bear Wallow, to intersect the Turnpike Road from Louisville to Nashville, by way of Bowlinggreen.

2. Mr. Rhea presented the petition of sundry citizens of Logan county, praying the establishment of an additional precinct in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on Privileges and Elections.

Mr. Rodman asked leave to withdraw the petition of Elisha Jones, which was granted, and the same was withdrawn.

Mr. McConnell asked leave to withdraw the petition of Nathan Wallis, and the remonstrance thereto, which was granted, and the same was withdrawn.

Mr. Rhea asked leave to withdraw the petition of George W. Lewis, which was granted, and the same was withdrawn.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, and a resolution from the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to charter the Kentucky Insurance Company.

An act to incorporate the Male and Female Institute, of Calloway, and Shelbyville Female College.

A resolution in relation to the settlement with the present Keeper of the Penitentiary.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—A bill supplemental to an act for the benefit of Darwin Johnson, approved day of 1849.

By the committee on Internal Improvement—A bill to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

The House again resumed the consideration of the bill to increase the revenue.

Mr. Vertress moved to amend said bill by adding the following, viz:

Be it further enacted, That any *bona fide* housekeeper of this Commonwealth shall have the privilege of selling, free of tax or license, ardent spirits in any quantity not less than one quart, not to be drank in their house or houses; and that this privilege or exemption from a tax, shall not be so construed as to extend to any merchant or merchants, vender or venders, of goods, wares and merchandire.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vertress and Grundy, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Dunlap,	Grundy,	Swan,
Duvall,	Johnson,	Vaughan,
Eversole,	Lucas,	Vertress—11.
Gordon,	Shawhan,	

Those who voted in the negative, were—

Mr. Speaker,	Garland,	Murphy,
Messrs. Alexander,	Hardin,	Napier,
Anderson,	Harris,	Newell,
Barbee,	Hayden,	Noe,
Barlow,	Headley,	Records,
Barnes,	Hite,	Reiley,
Bassett,	Holladay,	Reynolds,
Beaty,	Holton,	Robertson,
Best,	Hughes,	Rodman,
Bibb,	Huston,	Sherwood,
Blair,	Jackson,	Smith,
Butler,	Jefferson,	Spurr,
Cargill,	Lewis, D. P.	Stevens, J.
Chenault,	Logan,	Stevens, S.
Collins,	Magruder,	Stewart, M.
Conklin,	Mason,	Stuart, J.
Cottle,	McClarty,	Terrill,
Daviess, W.	McConnell,	Turner,
Davis, J. W.	McFarland,	Underwood,
Davis, J.	McLarning,	Vickers,
Dodds,	Menzies,	Wallace,
Dohoney,	Miller,	Wilson,
Eubank,	Morris,	Word—69.

Mr. Hughes moved to reconsider the vote striking out the first section of said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mason and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hite,	Murphy,
Messrs. Alexander,	Holladay,	Newell,
Anderson,	Holton,	Pope,
Barnes,	Hughes,	Reiley,
Beaty,	Huston,	Reynolds,
Bickley,	Jefferson,	Rhea,
Blair,	Johnson,	Robertson,
Chenault,	Lewis, D. P.	Rodman
Collins,	Logan,	Smith,

Dunlap,	Magruder,	Speed,
Duvall,	McClarty,	Spurr,
Ewing,	McConnell,	Stuart, J.
Ford,	McFarland,	Swan,
Gordon,	McLarning,	Terrill,
Grundy,	Menzies,	Towles,
Hardin,	Miller,	Underwood,
Harreld,	Morris,	Word—52.
Hayden,		

Those who voted in the negative, were—

Messrs. Barbee,	Eubank,	Shawhan,
Barlow,	Eversole,	Sherwood,
Bassett,	Garland,	Stevens, J.
Bibb,	Harris,	Stevens, S.
Bledsoe,	Headley,	Stewart, M.
Butler,	Jackson,	Turner,
Cargill,	Jones,	Vaughan,
Conklin,	Leonard,	Vertress,
Cottle,	Lucas,	Vickers,
Daviess, W.	Mason,	Wallace,
Davis, J. W.	Napier,	Whitsett,
Davis, J.	Noe,	Wilson,
Dohoney,	Records,	Woods—39.

Mr. J. W. Davis moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Vickers, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Davis, J. W.	Logan,
Barlow,	Davis, J.	Lucas,
Barnes,	Dohoney,	Napier,
Bassett,	Eubank,	Noe,
Beaty,	Eversole,	Shawhan,
Bibb,	Harreld,	Stevens, J.
Bledsoe,	Harris,	Stevens, S.
Butler,	Headley,	Vaughan,
Cargill,	Jackson,	Vertress,
Chenault,	Jones,	Vickers,
Conklin,	Leonard,	Wilson,
Cottle,	Lewis, D. P.	Woods—37.
Daviess, W.		

Those who voted in the negative, were—

Mr. Speaker,	Holton,	Reiley,
Messrs. Anderson,	Hughes,	Reynolds,
Barbee,	Huston,	Rhea,
Best,	Jefferson,	Robertson,
Bickley,	Johnson,	Rodman,
Blair,	Magruder,	Sherwood,

Collins,	Mason,	Smith,
Dodds,	McClarty,	Speed,
Dunlap,	McConnell,	Spurr,
Duvall,	McFarland,	Stewart, M.
Ewing,	McLarning,	Stuart, J.
Ford,	Menzies,	Swan,
Garland,	Miller,	Terrill,
Gordon,	Morris,	Turner,
Grundy,	Murphy,	Underwood,
Hardin,	Newell,	Wallace,
Hayden,	Pope,	Whitsett,
Hite,	Records,	Word—55.
Holladay,		

Mr. Towles moved to amend said bill by adding the following, viz:

That the act, entitled, an act to amend the revenue laws, approved March 10th, 1843, imposing a specific tax upon pleasure carriages and certain other articles therein enumerated, be and the same is hereby repealed: *Provided, however*, That nothing herein contained shall be construed so as to exempt those articles from an *ad valorem* taxation; and that the same shall not take effect until the 1st day of January, 1850.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newell and Garland, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Hite,	Shawhan,
Anderson,	Holladay,	Smith,
Barbee,	Jefferson,	Speed,
Bickley,	Lewis, D. P.	Spurr,
Dodds,	Magruder,	Stewart, M.
Dunlap,	Mason,	Towles,
Duvall,	Morris,	Vaughan,
Grundy,	Murphy,	Vickers—24.

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Newell,
Messrs. Barlow,	Garland,	Noe,
Barnes,	Gordon,	Pope,
Bassett,	Hardin,	Records,
Beaty,	Harris,	Reiley,
Best,	Hayden,	Reynolds,
Bibb,	Headley,	Rhea,
Blair,	Holton,	Robertson,
Bledsoe,	Hughes,	Rodman,
Butler,	Huston,	Sherwood,
Cargill,	Jackson,	Stevens, J.
Chenault,	Johnson,	Stevens, S.
Collins,	Jones,	Stuart, J.
Conklin,	Leonard,	Swan,
Cottle,	Logan,	Terrill,
Daviess, W.	Lucas,	Turner,

Davis, J. W.	McClarty,	Underwood,
Davis, J.	McConnell,	Vertress,
Dohoney,	McFarland,	Wallace,
Eubank,	McLarning,	Wilson,
Eversole,	Miller,	Woods,
Ewing,	Napier,	Word—66.

The first section of said bill was then amended by striking out the words "three cents," and inserting in lieu thereof the words "one cent."

Mr. Garland moved to amend said bill by adding the following, viz:

Be it further enacted, That, hereafter, there shall be a tax levied and collected, and accounted for as other revenue, upon the following articles, to-wit: upon revolving pistols, one dollar; upon Bowie knives, one dollar; spear canes, fifty cents; dirks, fifty cents: *Provided*, That this act shall not apply to merchants, or persons engaged in selling the above articles.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garland and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Barlow,	Eversole,	Reiley,
Barnes,	Garland,	Robertson,
Bassett,	Harrison,	Rodman,
Cargill,	Harris,	Stevens, S.
Chenault,	Jackson,	Turner,
Conklin,	Lewis, D. P.	Underwood,
Cottle,	Lucas,	Vickers,
Davis, J. W.	Menzies,	Wilson,
Davis, J.	Murphy,	Woods,
Dohoney,	Napier,	Word—31.
Eubank,		

Those who voted in the negative, were—

Mr. Speaker,	Harreld,	Newell,
Messrs. Alexander,	Hayden,	Noe,
Anderson,	Headley,	Pope,
Barbee,	Hite,	Records,
Beaty,	Holladay,	Reynolds,
Best,	Holton,	Rhea,
Bibb,	Hughes,	Shawhan,
Blair,	Huston,	Sherwood,
Bledsoe,	Jefferson,	Smith,
Boarman,	Johnson,	Speed,
Butler,	Jones,	Spurr,
Collins,	Leonard,	Stevens, J.
Daviess, W.	Logan,	Stewart, M.
Dodds,	Magruder,	Stuart, J.
Dunlap,	Mason,	Swan,
Duvall,	McClarty,	Terrill,
Ewing,	McConnell,	Vaughan,
Ford,	McFarland,	Vertress,

Gordon,	Miller,	Wallace,
Grundy,	Morris,	Whitsett—61.
Hardin,		

Mr. Mason moved to amend said bill by striking out the first section, as amended.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Shawhan and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Eubank,	Mason,
Barbee,	Eversole,	Noe,
Barlow,	Garland,	Records,
Basset,	Grundy,	Shawhan,
Bibb,	Harreld,	Sherwood,
Bledsoe,	Harris,	Stevens, S.
Cargill,	Headley,	Stuart, J.
Chenault,	Huston,	Terrill,
Conklin,	Jackson,	Turner,
Cottle,	Jones,	Vaughan,
Daviess, W.	Leonard,	Vertress,
Davis, J. W.	Lewis, D. P.	Whitsett,
Davis, J.	Logan,	Wilson—41.
Dohoney,	Magruder,	

Those who voted in the negative, were—

Mr. Speaker,	Hayden,	Pope,
Messrs. Anderson,	Hite,	Reiley,
Barnes,	Holladay,	Reynolds,
Beaty,	Holton,	Rhea,
Best,	Hughes,	Robertson,
Bickley,	Jefferson,	Rodman,
Blair,	Johnson,	Smith,
Boarman,	Lucas,	Speed,
Butler,	McClarty,	Spurr,
Collins,	McConnell,	Stevens, J.
Dodds,	McFarland,	Swan,
Duvall,	McLarning,	Thomas,
Ewing,	Menzies,	Towles,
Ford,	Miller,	Underwood,
Gordon,	Morris,	Woods,
Hardin,	Napier,	Word—50.
Harrison,	Newell,	

Ordered, That said bill be engrossed and read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jones and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harrison,	Pope,
Messrs. Anderson,	Hayden,	Records,
Barnes,	Hite,	Reiley,
Best,	Holladay,	Reynolds,
Bickley,	Holton,	Rhea,
Blair,	Hughes,	Robertson,
Boarman,	Jefferson,	Rodman,
Butler,	Johnson,	Smith,
Cargill,	Lucas,	Spurr,
Chenault,	Mason,	Stevens, J.
Collins,	McConnell,	Stewart, M.
Dodds,	McFarland,	Swan,
Dunlap,	McLarning,	Thomas,
Duvall,	Menzies,	Towles,
Ewing,	Miller,	Underwood,
Ford,	Morris,	Word—50.
Hardin,	Newell,	

Those who voted in the negative, were—

Messrs. Alexander,	Gordon,	Shawhan,
Barbee,	Grundy,	Sherwood,
Barlow,	Harreld,	Speed,
Bassett,	Harris,	Stevens, S.
Bibb,	Headley,	Stuart, J.
Bledsoe,	Huston,	Terrill,
Conklin,	Jackson,	Turner,
Cottle,	Jones,	Vaughan,
Daviess, W.	Leonard,	Vertress,
Davis, J. W.	Lewis, D. P.	Vickers,
Davis, J.	Logan,	Wallace,
Dohoney,	Magruder,	Whitsett,
Eubank,	McClarty,	Wilson,
Eversole,	Napier,	Woods—44.
Garland,	Noe,	

Resolved, That the title thereof be as aforesaid.

The resolution from the Senate, providing for a settlement with Peter Dudley, late Treasurer, was taken up, twice read and concurred in.

The House again resolved itself into a committee of the whole, on the bill further to provide for the erection of the Second Kentucky Lunatic Asylum, and the bill from the Senate, entitled, an act further to provide for the erection of the Second Kentucky Lunatic Asylum, Mr. Noe in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Noe reported that the committee had, according to order, had under consideration the bills aforesaid, and had instructed him

to report to the House the Senate bill, which he handed in at the Clerk's table.

Mr. Huston moved to amend said bill by adding the following, viz:

Provided, That no money shall be drawn from the Treasury, pursuant to the provisions of this act, until satisfactory evidence shall be furnished the Executive of this Commonwealth, that the sum of $1,976 50, applied by the Commissioners of Superintendence, &c., of said Asylum, to the purchase of the tract of land for its location, shall be restored to the fund heretofore provided for the erection of said Asylum, and expended for that purpose; and that the sum of two thousand dollars, tendered by certain citizens of the town of Hopkinsville and county of Christian, shall be actually paid; and that a good and sufficient deed, with general warranty, is made and executed from the proper person or persons, and approved by the Judge of the Christian Circuit Court, to the Commonwealth of Kentucky, for the tract of 383 acres of land on which said Asylum is to be built.

Mr. Harris moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McLarning and Bibb, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Dohoney,	Logan,
Barbee,	Eversole,	Lucas,
Barlow,	Garland,	Speed,
Basset,	Garred,	Stevens, S.
Beaty,	Harris,	Turner,
Boarman,	Hayden,	Vertress,
Cottle,	Johnson,	Whitsett,
Daviess, W.	Leonard,	Wilson,
Davis, J.	Lewis, D. P.	Woods—27.

Those who voted in the negative, were—

Mr. Speaker,	Hite,	Pope,
Messrs. Anderson,	Holladay,	Records,
Barnes,	Holton,	Reiley,
Best,	Hughes,	Reynolds,
Bibb,	Huston,	Rhea,
Blair,	Jackson,	Robertson,
Bledsoe,	Jefferson,	Rodman,
Cargill,	Jones,	Shawhan,
Chenault,	Magruder,	Sherwood,
Conklin,	Mason,	Smith,
Dodds,	McClarty,	Spurr,
Dunlap,	McConnell,	Stewart, M.
Duvall,	McFarland,	Stuart, J.
Eubank,	McLarning,	Swan,
Ewing,	Menzies,	Terrill,
Ford,	Miller,	Thomas,
Gordon,	Morris,	Underwood.

Hardin,	Murphy,	Vaughan,
Harreld,	Napier,	Vickers,
Harrison,	Newell,	Wallace—62.
Headley,	Noe,	

Mr. Huston then withdrew his amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

The question was then taken on the passage of said bill, and was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harris and Eversole, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Newell,
Messrs. Anderson,	Headley,	Noe,
Barnes,	Hite,	Pope,
Best,	Holladay,	Records,
Bibb,	Holton,	Reiley,
Bickley,	Hughes,	Reynolds,
Blair,	Huston,	Rhea,
Cargill,	Jefferson,	Robertson,
Chenault,	Jones,	Smith,
Collins,	Magruder,	Spurr,
Davis, J. W.	Mason,	Stevens, J.
Dodds,	McClarty,	Stuart, J.
Dunlap,	McConnell,	Swan,
Eubank,	McFarland,	Terrill,
Ewing,	McLarning,	Towles,
Ford,	Miller,	Underwood,
Gordon,	Morris,	Vickers,
Hardin,	Murphy,	Wallace,
Harreld,	Napier,	Word—58.
Harrison,		

Those who voted in the negative, were—

Messrs. Alexander,	Eversole,	Rodman,
Barbee,	Garland,	Shawhan,
Barlow,	Garred,	Sherwood,
Bassett,	Grundy,	Stevens, S.
Beaty,	Harris,	Thomas,
Bledsoe,	Jackson,	Turner,
Boarman,	Johnson,	Vaughan,
Cottle,	Leonard,	Vertress,
Daviess, W.	Lewis, D. P.	Whitsett,
Davis, J.	Logan,	Wilson,
Dohoney,	Lucas,	Woods—33.

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act for the appropriation of money, with amendments.

That they had passed bills of the following titles, viz:

An act to amend the charter incorporating the Kentucky Military Institute.

An act for the benefit of William and John Chiles, of Estill Springs.

An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.

An act for the benefit of Ezekiel Arterberry.

An act for the benefit of John Walker, of Anderson county, and others.

An act to divorce William Gibson and Sarah Jane Gibson, of Graves county, and S. B. Woolfolk.

An act to divorce Susan Braden, and others.

An act to divorce Mary Duck, of Laurel county.

An act to divorce Lucinda Fish.

An act to divorce James and Hannah Price, and Samuel Bileter.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act for the benefit of Common Schools.

Mr. Rhea moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.

The main question was then put, "Shall the amendments proposed by the Senate to said bill be concurred in?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Davis and Headley, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harreld,	Napier,
Messrs. Alexander,	Harrison,	Pope,
Anderson,	Hayden,	Records,
Barnes,	Hite,	Reynolds,
Beaty,	Holladay,	Rhea,
Best,	Holton,	Robertson,
Bibb,	Huston,	Smith,
Bickley,	Jackson,	Speed,
Blair,	Jefferson,	Spurr,
Chenault,	Jones,	Stevens, S.
Daviess, W.	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Terrill,
Duvall,	Mason,	Thomas,
Eubank,	McFarland,	Turner,
Ewing,	Menzies,	Underwood,
Ford,	Miller,	Whitsett,

Garred,	Morris,	Woods,
Gordon,	Murphy,	Word—55.
Hardin,		

Those who voted in the negative, were—

Messrs. Barbee,	Garland,	Reiley,
Barlow,	Grundy,	Rodman,
Bassett,	Harris,	Shawhan,
Bledsoe,	Headley,	Sherwood,
Boarman,	Hughes,	Stevens, J.
Cargill,	Johnson,	Stuart, J.
Collins,	Logan,	Swan,
Cottle,	Lucas,	Vaughan,
Davis, J. W.	McClarty,	Vertress,
Davis, J.	McConnell,	Vickers,
Dodds,	McLarning,	Wallace,
Dohoney,	Newell,	Wilson—38.
Eversole,	Noe,	

The House then took up the amendments proposed by the Senate to a bill from this House, entitled, an act for the appropriation of money.

The first amendment proposed by the Senate to said bill was then disagreed to.

The second amendment to said bill was concu rred in.

The third amendment to said bill reads as follows, viz:

"To the Lunatic Asylum, at Lexington, for the purpose of completing the buildings as contemplated and designed by the Commissioners thereof, and reported to the General Assembly, the sum of five thousand dollars."

The question was then taken on concurring in said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dohoney and Lucas were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Morris,	Speed,
Chenault,	Pope,	Spurr,
Hardin,	Robertson,	Stewart, M.
Hite,	Smith,	Terrill—13.
Holton,		

Those who voted in the negative, were—

Messrs. Anderson,	Eversole,	Murphy,
Barbee,	Ewing,	Napier,
Barlow,	Garland,	Newell,
Barnes,	Garred,	Noe,
Bassett,	Grundy,	Reiley,
Beaty,	Harreld,	Reynolds,
Best,	Harrison,	Rhea,
Bibb,	Harris,	Rodman,

Bickley,	Hayden,	Shawhan,
Blair,	Headley,	Sherwood,
Bledsoe,	Holladay,	Stevens, J.
Boarman,	Hughes,	Stevens, S.
Cargill,	Huston,	Stuart, J.
Collins,	Jackson,	Thomas,
Cottle,	Jones,	Turner,
Daviess, W.	Leonard,	Underwood,
Davis, J. W.	Lewis, D. P.	Vaughan,
Davis, J.	Logan,	Vertress,
Dodds,	Lucas,	Vickers,
Dohoney,	Magruder,	Whitsett,
Dunlap,	Mason,	Wilson,
Duvall,	McConnell,	Woods,
Eubank,	McFarland,	Word—69.

The fourth amendment to said bill was disagreed to.

The fifth amendment to said bill was concurred in.

The sixth and seventh amendments to said bill were disagreed to.

The eighth amendment to said bill was concurred in.

The ninth, tenth, and eleventh amendments to said bill were disagreed to.

The twelfth amendment to said bill was concurred in, with an amendment.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the South Kentucky Institute.

An act to incorporate the Irvine Seminary, in the county of Estill.

An act to amend an act to incorporate a Turnpike Road from Washington to Murphysville, in Mason county.

An act for the benefit of the Washington Female Seminary.

An act to incorporate the Harrodsburg Springs Company.

An act to amend an act incorporating the town of East Maysville, in Mason county.

An act to authorize the Register of the Land Office to extend a line in a survey in the name of J. Eubank, in Monroe county.

An act granting a change of venue to James H. Arnold.

An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes, approved March 2d, 1844.

An act to change the line between the counties of Clay and Laurel.

An act to allow Greenup county an additional Justice of the Peace, and additional Constables to Henry and Cumberland counties.

An act to allow an additional Constable to Hardin county.

An act for the benefit of Mrs. Leavy, and her children.

An act for the benefit of the Mechanics of Nicholas county.

An act for the benefit of Jordan Middleton and William Ratliff.

An act establishing a July term of the Cumberland Circuit Court.

An act for the benefit of Philip F. Craycraft and wife.

An act to extend the limits of the town of Campbellsville.

An act to allow an additional Justice of the Peace to Spencer county.

An act for the benefit of Lucretia Gwyn.

An act to authorize the trustees of Carlisle to levy and collect an additional tax.

An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.

An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.

An act for the benefit of John B. Phelps, a lunatic.

An act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes.

And bills which originated in the Senate, of the following titles, viz:

An act for the benefit of William Griffey.

An act for the benefit of Margaret Wilson and others.

An act for the benefit of Jane Duddy.

An act to amend the act to revive the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.

An act to amend the act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

An act to divorce Edward S. Bowman and Hickerson Smith.

An act legalizing the organization and first election of the officers by the Dry Creek and Covington Turnpike Road Company.

An act to divorce Joseph Howard.

An act to divorce Mary Catharine Duncan and Owen C. Turner.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company.

An act for the benefit of certain children in District No. 1, in Graves county.

An act for the benefit of John J. Anderson.

An act for the benefit of James A. Wilson.

An act to divorce Thomas T. Tindell and Nancy Bell.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Hughes, from the committee on Banks, made the following report:

[*For Report—see Legislative Documents.*]

Mr Rhea, from the committee on Claims, to whom was referred a bill from the Senate, entitled, an act for the benefit of the estate of J. F. Thomasson, deceased, reported the same with an amendment, which was disagreed to.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Pope, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to amend the charter of the Lexington and Frankfort Railroad Company, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they recede from their first, third, and sixth amendments to a bill from this House, entitled, an act for the appropriation of money, and insist on their 4th, 7th, 9th, 10th and 11th amendments to said bill, and concur in amendment of this House, to the amendment of the Senate, to said bill.

That they had passed bills of the following titles, viz:

An act to mark, definitely, the dividing line between certain counties.

An act for the benefit of Common Schools.

An act concerning Common Schools.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to prevent the destruction of fish in the Little Kentucky River.

An act to change the name of Louisa Turner and others.

An act to regulate the holding of the Kenton Circuit Court, and for other purposes.

An act to extend the powers of the Marshal of the city of Louisville.

An act allowing an additional term of the Greenup Circuit Court.

An act for the benefit of James Tucker and his wife.

Were taken up, twice read and concurred in.

The amendment of the Senate, to the amendment of this House, to a bill from the Senate, entitled, an act to change the time of holding the Anderson and Franklin Circuit Courts, was taken up, twice read, and concurred in.

Bills from the Senate of the following titles, viz:

An act to provide for a geological and mineralogical survey of the State.

An act to promote the growth and manufacture of silk.

An act for the benefit of the Maysville and Bracken Turnpike Road Company.

An act in aid of Common Schools.

Were read the first time.

Ordered, That said bills be laid on the table.

Bills from the Senate of the following titles, viz:

An act for the benefit of Spotswood Wills.

An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act to divorce Jane Gatliff.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.

An act for the benefit of the Clerk of the Caldwell Circuit Court.

An act to incorporate the Licking Steam Boat Navigation Company.

An act to charter certain Turnpike Road Companies in Madison county.

An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.

An act to incorporate the Springfield and Perryville Turnpike Road Company.

An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.

An act authorizing the establishment of a State road from Pembroke to Green River.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.

An act to incorporate the Henry and Trimble Turnpike Road Company.

An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.

An act for the benefit of Benjamin D. Beall and James Sparks.

An act for the benefit of John R. Thornton and Richard Kenningham, Trustees.

An act for the benefit of Vincent Brooks.

An act for the benefit of George McFarland Hall.

An act for the benefit of Moses Hubbard and wife.

An act for the benefit of the town of Tompkinsville.

An act for the benefit of Wilson Evans.

An act to establish the town of Gordonsville, in Hopkins county.

An act granting a change of venue to James May.

An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

An act to amend the charter of Paducah.

An act to allow an additional Justice of the Peace to Hopkins county.

An act to establish the town of Miltonville, in Casey county.

An act for the benefit of Henry M. Lutes, of Owsley county.

An act to amend the charter incorporating the Kentucky Military Institute.

An act to divorce James and Hannah Price, and Samuel Bileter.

An act to divorce Lucinda Fish.

An act to divorce Mary Duck, of Laurel county.

An act to divorce Susan Breeden and others.

An act for the benefit of Ezekiel Aterberry.

An act for the benefit of John Walker, of Anderson county, and others.

An act to divorce William Gibson and Sarah Jane Gibson, of Graves county, and S. B. Woolfolk.

An act for the benefit of William and John Chiles, of Estill Springs.

An act to mark definitely the dividing lines between certain counties.

An act concerning Common Schools.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of John Morris and Job Allen, and others, of Clay county, was read the first time, as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred dollars be paid to John Morris, and fifty dollars be paid to Job Allen, both of Clay county, out of any money in the Treasury not otherwise appropriated, in consideration of services rendered and expenses incurred in the discovery of the dead body of Franklin Prewitt, supposed to have been murdered.

Sec. 2. That Esau Conrad and Squire Lucas, of Grant county, be allowed the sum of sixty dollars, out of any money in the Treasury not otherwise appropriated, it being the amount expended by them in the apprehension of one Mr. Gheter and a Mr. Wilson, who were convicted of horse stealing, and are now confined in the Penitentiary on said charge.

Ordered, That said bill be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The question was taken on the passage of said bill, and it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. J. Stuart and Dunlap, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Ewing,	Robertson,
Messrs. Anderson,	Garland,	Shawhan,
Barnes,	Garred,	Smith,
Bassett,	Grundy,	Stevens, S.
Blair,	Harris,	Swan,
Boarman,	Hughes,	Terrill,
Cargill,	Jackson,	Turner,
Chenault,	Mason,	Vertress,
Cottle,	Morris,	Wallace,
Daviess, W.	Noe,	Wilson,
Davis, J. W.	Reiley,	Woods,
Dunlap,	Reynolds,	Word—37.
Eversole,		

Those who voted in the negative, were—

Messrs. Alexander,	Huston,	Records,
Barbee,	Jefferson,	Rhea,
Barlow,	Johnson,	Rodman,
Best,	Jones,	Sherwood,
Bibb,	Leonard,	Speed,
Conklin,	Lewis, D. P.	Spurr,
Davis, J.	Logan,	Stevens, J.
Dodds,	Magruder,	Stewart, M.
Dohoney,	McClarty,	Stuart, J.
Eubank,	McConnell,	Thomas,
Gordon,	McFarland,	Underwood,
Hayden,	Miller,	Vaughan,
Hite,	Murphy,	Whitsett—41.
Holladay,	Napier,	

Bills from the Senate, of the following titles, viz:

1. An act supplemental to an act to repeal the charter of Augusta College.

2. An act to establish an election precinct in Shelby county, and one in Clay county.

Were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bills having been dispensed with,

The said bills were then amended.

Ordered, That said bills, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the said bills do pass, and that the title of the 1st be as aforesaid; and the title of the 2d be amended to read, "An act to establish an election precinct in Clay county.

A bill from the Senate, entitled, an act for the benefit of those who have imported slaves contrary to the law of 1833; was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conklin and Cottle, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Ford,	Napier,
Barbee,	Garred,	Newell,
Bassett,	Gordon,	Noe,
Bibb,	Grundy,	Rhea,
Boarman,	Headley,	Shawhan,
Cargill,	Hughes,	Sherwood,
Chenault,	Jackson,	Stevens, J.
Cottle,	Jones,	Stevens, S.
Daviess, W.	Leonard,	Thomas,
Davis, J.	Logan,	Vaughan,
Dodds,	Lucas,	Vertress,
Dohoney,	Magruder,	Wallace,
Duvall,	Mason,	Wilson,
Eubank,	McClarty,	Woods,
Eversole,	McConnell,	Word—47.
Ewing,	Murphy,	

Those who voted in the negative, were—

Messrs. Barlow,	Hayden,	Reynolds,
Barnes,	Hite,	Robertson,
Best,	Holladay,	Rodman,
Blair,	Holton,	Smith,
Collins,	Huston,	Spurr,
Conklin,	Jefferson,	Stewart, M.
Davis, J. W.	Lewis, D. P.	Stuart, J.
Dunlap,	Menzies,	Swan,
Garland,	Miller,	Terrill,
Hardin,	Morris,	Turner,
Harreld,	Records,	Underwood—35.
Harris,	Reiley,	

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of Morton G. Hammons and Mary A. Hammons and others was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Magruder and Spurr, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Dunlap,	McClarty,
Messrs. Alexander,	Duvall,	McConnell,
Anderson,	Eversole,	Miller,
Barbee,	Garred,	Murphy,
Barlow,	Gordon,	Noe,
Barnes,	Grundy,	Reiley,
Bassett,	Harreld,	Reynolds,
Best,	Harris,	Stevens, J.
Bibb,	Hayden,	Stewart, M.
Boarman,	Headley,	Swan,
Cargill,	Holladay,	Thomas,
Collins,	Holton,	Vertress,
Cottle,	Hughes,	Wallace,
Daviess, W.	Jones,	Whitsett,
Davis, J. W.	Leonard,	Wilson,
Davis, J.	Mason,	Woods—48.

Those who voted in the negative, were—

Messrs. Blair,	Lewis, D. P.	Rodman,
Conklin,	Logan,	Shawhan,
Dodds,	Lucas,	Sherwood,
Dohoney,	Magruder,	Spurr,
Eubank,	Napier,	Stevens, S.
Ewing,	Newell,	Stuart, J.
Ford,	Records,	Terrill,
Garland,	Rhea,	Turner,
Jackson,	Robertson,	Vaughan—27.

Resolved, That the title thereof be as aforesaid.

Mr. J. W. Davis, from the select committee, made a report, which is as follows, viz:

The select committee, who were appointed under resolutions of the House—

1st. To investigate what officers have acted culpably in failing to take bond from the late Treasurer of this Commonwealth:

2nd. Whose names were sent into the Senate as the sureties of James Davidson:

3d. Whether the persons whose names were sent in as sureties knew that their names were presented as sureties: and,

4th. What sum could be made out of Col. Davidson:

have made such investigation as they have been able to do, and now beg leave to report the result of their labors to this House.

The committee, in making the first enquiry, were led to an examination of the law relating to the Treasurer, for the purpose of finding out whose duty it was to take the bond from the Treasurer; and the result of that examination is, that it was the duty of the Governor to see that the bond was executed. This committee conceive it the high duty of every

citizen in a Republic to see that no wrong is done to the State, and more especially is it the duty of an officer of the State who, before he enters upon the duties of his office, is compelled to take an oath to be true and faithful to the Commonwealth—and the higher the office, the more imperious the obligation. The Constitution of the State says, in article III. sec. 15, "He, (the Governor,) shall take care that the laws be faithfully executed;" and, in section 13th of the same article, the same Constitution says, that "He shall, from time to time, give to the General Assembly information of the State of the Commonwealth." From this language, the committee feel satisfied that the Constitution intended that the Chief Executive should have a faithful and vigilant eye on all the offices of the government, and keep his constant attention turned towards the true state of the Commonwealth. It is the highest honor that a sovereign State can bestow upon one of her citizens, and she never deigns to bestow such high favors upon any other than a citizen. The Governor of the State is Commander in Chief of the military force of the State—the Judiciary of the Commonwealth are created by him, with the consent of the Senate. He is the fountain of high honor—the source of great profits in the State. He receives the highest salary of any officer under the State government. For so great honors and emoluments the State demands something in return. She requires that the Governor shall see that the laws are faithfully executed; that he shall be a sentinel on the watch tower; that he shall inform the people, through the General Assembly, of the state of the Commonwealth—if all be right; or, if aught be wrong; if the citizen be secure in personal liberty; if the rights of property are duly respected; if the people's money be safe; or, if violent hands have been laid upon it, he shall give information of such bad state of the Commonwealth to the General Assembly. These considerations should, alone, have made the Governor take care that the treasure of the State was safe, at least, so far as having bond and security was concerned.

But this committee believe that positive enactment and the established usage of the government have made it the duty of the Governor to see that the Treasurer had given bond, as required by law. On page 1515, of 2 vol. Brown & Morehead's Digest, will be found the 7th section of the act of 1798, which is as follows:

"Sec. 7. *And be it further enacted*, That the Treasurer, for the time being, shall not be capable of executing the said office, until he hath given bond, with such security as shall be approved by the Governor, with the consent of the Senate, in the sum of one hundred thousand pounds, payable [to the Governor, and his successors, in trust for the use of the Commonwealth,] and conditioned for the faithful accounting for and paying all such sums of money as shall be received by him, from time to time, by virtue of any act of Assembly; to be recovered upon the breach thereof, on motion of the Auditor, in any court of record, for public use, provided ten days previous notice be given in writing of such motion; and moreover the said Treasurer, before he enters into his said office, shall take the following oath, before the Governor, to be administered by the Secretary of State: "I, A. B., do swear, that I will faithfully and truly execute the office of Treasurer in all things relating to said office, to the best of my skill and judgment, according to law. So help me God."

It is difficult to conceive how any person, of ordinary understanding, could doubt about whose duty it is to take, or see that bond had been taken from the Treasurer, after reading the above section. The Treasurer is made incapable of executing his office until he has given bond, to be approved of by the Governor. Before the Treasurer enters upon the duties of his office, he is required, in the presence of the Governor, to take an oath; and that oath shall be administered to him by the Secretary of State before the Governor. The law, in this regard, is so plain, that "he that runs may read." But grant, for one moment, that the Governor of the Commonwealth could believe that it was not his duty to see that the Treasurer had given, and did execute, a bond—the law requires the Secretary of State to administer the oath to the Treasurer in the presence of the Governor. If the Secretary of State failed to administer the oath to the Treasurer, then it was the duty of the Governor to see that the law was faithfully executed; or, if the Secretary say that he was always ready and willing to have administered the oath to the Treasurer, if he had applied to take it, but that the Treasurer failed to apply to him, and, therefore, he could not and did not administer it, then it was the bounden duty of the Governor to see that the law, above quoted, was faithfully executed; and, in failure thereof, to give information of such rotten "state of the Commonwealth to the General Assembly." Torture the language—twist and turn which way you will—still it was the duty of the Governor to see that the Treasurer took the oath of office, and that it should be admistered by the Secretary of State, and that it should not be taken till he had executed bond; that he should not enter on the duties of his office till he had given bond.

But again: how should the Governor know that the names handed to him for his approval were securities, unless he had seen that a bond was executed? Certainly the Governor would not take the bare assertion of the man who was required to give the security, that he and the sureties had signed the bond. He would certainly require some authentic information on that point. If he did not conceive it to be his duty to see that the Treasurer gave bond, he would certainly require some official information of that department of the Government, whose duty he conceived it to be to take bond, that bond had been given, before he would send the names of persons as securities to the Senate for their approval. If the Governor did believe that it was the duty of the Legislature, or any officer of the Government, other than himself, to take bond from the Treasurer, and if, so believing, he send names of persons to the Senate for their approval, as the securities of the Treasurer, without having official information of the fact that they were sureties, (for they could not be sureties until they executed bond,) and when, in fact, they were not securities, then he has been guilty of a manifest dereliction of his duty.

In 1839 the office of Second Auditor was created, 3 vol. Statutes, page 54. The law creating him says that he shall have fifteen hundred dollars for his salary, "but before he enters on the duties of his office, said Second Auditor shall execute bond to the Commonwealth, in the penalty of fifty thousand dollars, with security approved by the Governor, and conditioned for the faithful discharge," &c. &c. This law certainly is not more forcible, nor does it more plainly make it the duty of the Governor to take bond from the Second Auditor than from the Treasurer;

yet, invariably, the Governor has taken bond, and it has been deposited in the office of Secretary of State. See evidence of Thos. S. Page.

Contemporaneous expositions of Statutes have always been considered the surest guides to the meaning of the Statutes; and if this rule be adopted as a test of the meaning of 7th section of the act of 1798, then we must come to the conclusion that the law intended that the Governor should see that the Treasurer did execute bond, as required by law—for the bonds taken during the first years of the Government of the State of Kentucky bear evidence that the Governor saw them executed. Indeed, all the Treasurers bonds, from the foundation of the State Government up to the present day, that are to be found at all, are found in the office of the Secretary of State; which latter office bears the same relation to the Governor that the Clerk of the County Court does to the Court. The law requires every person accepting a Sheriff's commission to enter into bond and take an oath in the County Court; yet no place has been designated, by law, for the Sheriff's bond to be deposited; still the Clerk of the County Court always keeps the bonds. So it has been with the Treasurer's bond. It being the duty of the Governor to take the bond, the Secretary of State has, very properly, been the keeper of the bond. When Col. Davidson resigned, Gen. Dudley was made Treasurer; Governor Owsley took the bond, and the Secretary, or his assistant, administered the oath of office. Then, there was no two opinions about whose duty it was to see that the Treasurer executed bond.

At the present session of the Legislature Mr. Wintersmith was made Treasurer, and Governor Crittenden took bond from him, with security; the Governor attested the bond, and in his presence the Secretary of State, Col. O. Brown, administered to Mr. Wintersmith the oath of office. Never, so far as this committee know, was the discovery made that it was not the Governor's duty to see that the Treasurer gave bond, with security, until they commenced the present investigation. But this is an age of discoveries.

The committee have not been able to make an extensive examination of the Legislative Journals, to find what the Legislature have, annually, done about the Treasurer's bond, and his office; but they have made a slight examination, and it utterly precludes the idea that any of our great statesmen considered it the duty of the Legislature to take bond from the Treasurer. When the committee turned to the House Journal of 1837–8, page 13, they find that Robert P. Letcher was elected Speaker of the House of Representatives; they find among members of that House, during that year, the names of Pleasant Bush, James T. Morehead, Henry Clay, Jr., Robert Wickliffe, David Trimble, Willis Green, John L. Helm, William F. Bullock, S. S. Nicholas, John Kincaid, John A. McClung, W. B. Parker, John B. Thompson, Cassius M. Clay, T. P. Linthicum, G. C. Slaughter, Finis E. McLean, and many others, whose names stand high in the annals of Kentucky. On page 242 of the same Journal, a record is made of the unanimous election of James Davidson as Treasurer of the State; yet, your committee have been unable to find any trace of a bond, given by him, on the said Journal.

On the Journal of the House of Representatives for the year 1845–6, the committee find, among other distinguished names, those of D. R. Haggard, James Harlan, Leslie Combs, Samuel Seaton, T. D. Brown,

Hamilton Pope, J. Speed Smith, Henry Waller, John W. Finnell, and Joseph R. Underwood. On page 412 of that Journal, the committee find that James Davidson was unanimously elected Treasurer of Kentucky; yet, no where in that book can they find any evidence of a bond given by the Treasurer.

When the committee turned to the Journal of the House, for the year 1846–7, they saw, amid other great names, those of Richard H. Hanson, George W. Crawford, D. R. Haggard, Leslie Combs, Richard Spurr, W. S. Botts, William D. Reed, Jeff Evans, T. D. Brown, W. D. Vertress, Edward D. Hobbs, Albert G. Rhea, Gwyn Page, Henry Waller, Madison Stewart, William L. Jones, and Sherrod Williams. In that year the Treasurer was elected, and the Legislature made no mention of a bond upon their Journal. Yet, in each of the three years above quoted, there were in the House several lawyers of distinction.

During the present session of the General Assembly, R. C. Wintersmith was elected Treasurer of the Commonwealth; whereupon, the Governor took bond from him—the Secretary of State administered to him the oath of office; and who should know better than the present Governor, upon whom the law devolved the duty of taking bond? He has, for more than one year, been a member of this House—has filled the Chair—has been a Senator in Congress—has made the law the business of his life. The present House of Representatives has in it many legal gentlemen of great acumen and research; it has in it one who, in early life, with no little distinction, held a seat in the National Legislature; who has more than once had a seat upon this floor; who has filled the Chair with ability during one of the stormiest periods of Kentucky's history; and who, for many years, presided over the highest judicial tribunal of the State, and who has left the indelible impress of his mighty mind upon the judicial history of Kentucky; yet, not only did no other lawyers of this House, rise in their place, upon the election of the Treasurer, and suggest that it was the duty of the Legislature to take bond from the Treasurer; but this new fangled construction of the law did not suggest itself to the distinguished late Chief Justice; and this election was held after all the "*noise and confusion*" had been made about the defalcation of the late Treasurer, and his having failed to give bond. This committee do not believe that it was the duty of the Legislature to see that bond was taken from the Treasurer.

But if it was not the duty of the Legislature—nor of the Governor—to see that bond was executed, the law of 1798 came from the Legislative halls "still born—impotent as the dead"—without form and void. Who will believe this of our intelligent fathers? Those who can, may.

The committee feel, therefore, irresistibly constrained to report, that the Governors and Secretaries of State, during the years from 1841 to 1848, inclusive, have, in the language of the resolution, "acted culpably in failing to take bond from the late Treasurer of the Commonwealth."

The committee met shortly after their appointment, and determined to examine persons who were witnesses, by interrogatories; and, for that purpose, the committee agreed upon certain interrogatories, which were written down, and are herewith reported. The answers always being in writing, they are also reported to the House as a part hereof.

Thomas S. Page, Second Auditor, states, that he has given two bonds; that they were prepared by himself and handed to the Governor.

Clay Harlan states, that there is found on file, with the Treasurer's bonds in the office of Secretary of State, a slip of paper, in the hand writing of James Davidson, naming certain persons as his securities to the Governor; that this slip is attached to a half sheet of paper, and folded and endorsed Treasurer's securities—approved February 29th, 1844, and nominated to the Senate. Mr. H. is, at present, Assistant Secretary of State.

No. 3, of the papers herewith returned, is from the minutes of the Executive Journal, and was taken to show what the action of the government had been in this matter.

No. 4, shows that Governor Crittenden took bond from present Treasurer.

No. 5 is from the minutes of the Executive Journal, and shows the action of Governor Owsley, when the fact was made public, that Colonel Davidson had not given bond.

No. 6 contains the names of the securities of the Treasurer; who were, for 1839–40, Jacob Swigert, Thomas S. Theobald, A. G. Hodges, Churchill Samuel, and Harrison Blanton; and for the year 1840–41, the same; and for the year 1841–42, Jacob Swigert, Thos. S. Theobald, A. C. Keenon, and Albert G. Hodges; and for the year 1842–43, the same as in 1841–42; and in 1843–44, the same as in the preceding year; and for the year 1844–45, Jacob Swigert, A. C. Keenon, A. G. Hodges, and A. P. Cox; and for the year 1845–46, the same as in the preceding year; and for the year 1846–47, Newton Craig, Jacob Swigert, and Albert G. Hodges; and for the year 1847–48, Jacob Swigert, A. P. Cox, and A. G. Hodges.

No. 7 contains the evidence of Newton Craig, Keeper of the Penitentiary. He states, that some two or three years since, Col. Davidson applied to him to go his security as Treasurer; that he refused to go security for Colonel Davidson; that he did not know that his name was handed to the Governor as one of the securities of Colonel Davidson.

No. 8 contains the evidence of A. G. Hodges, who states that Colonel Davidson asked his consent to send his name to the Governor as security, and that he gave it, but did not sign any bond; that he is now Public Printer, and has been for the last nine years; and that he was security for Colonel Davidson in 1840.

No. 9 contains the evidence of Jacob Swigert, who states that he signed several of Colonel Davidson's bonds, but does not recollect in what years; that Colonel Davidson is worth from ten to fifteen thousand dollars; that he has signed several bonds for Colonel Davidson as Treasurer; that he had signed them in the office of Secretary of State; that he was sent for by the Secretary, the porter bearing the message; that he is Clerk of the Court of Appeals.

No. 10 contains the evidence of Austin P. Cox, who states that he does not recollect that he was applied to by Col. Davidson to go his security, but has some faint recollection that he was; he is Secretary of the Board of Internal Improvement, and, *ex-officio*, a member; that the bonds of the Treasurer are usually kept in the office of the Secretary of State; that whilst he was Assistant Secretary of State, he took a bond from the Treasurer, and witnessed it.

No. 11 contains the evidence of Thomas S. Theobald, who proves that he was Keeper of the Penitentiary from 1840 to 1844.

No. 12 contains the evidence of W. D. Reed, who proves that no bond was taken from Col. Davidson whilst he was Secretary of State; that he did not believe it the duty of the Governor, or Secretary of State, but that it was the duty of the Legislature to see that bond was taken; that he was Secretary of State under Governor Owsley; and that he was a member of the Kentucky Legislature during the winter of 1846–47.

No. 13 contains the evidence of Governor Letcher, who proves that no bonds were taken during his administration; that he did not conceive it his duty to take the bond from the Treasurer; that the Legislature made him, and it was their duty to see that he gave bond.

No. 14 contains the evidence of James Harlan, who was Secretary of State under Governor Letcher, who says that no bonds were given by Col. Davidson whilst he was Secretary, and that he believed it the duty of the Legislature to take bond from the Treasurer; that he never, during his Secretaryship, administered the oath of office to Col. Davidson.

No. 15 contains the evidence of A. S. Mitchell, Assistant Secretary of State under Governor Owsley's administration. He proves that Col. Davidson gave no bonds during Gov. Owsley's administration; that none were taken because Governor Owsley had so great confidence in Col. Davidson; that he heard of the defalcation, confidentially, some weeks before it was made public; that on learning the defalcation, Governor Owsley dispatched him, Mitchell, to Col. Davidson; that when he arrived at Col. D's., he spoke of his bond; upon which he, Col. D., said he had not executed a bond for several years; that he, Mitchell, returned to Gov. Owsley and stated the fact to the Governor, who sent a friend to Col. D. and notified him that he was not capable of acting as Treasurer any longer, whereupon Col. Davidson resigned, knowing it was impossible for him then to give bond.

No. 16 is a note from Mr. A. C. Keenon, whose name was handed in as one of the securities of Col. D., for several years. The committee had him twice summoned to appear before them to testify; both times he failed; the second time he sent the note herewith filed.

From the evidence the committee have, they believe that Col. Davidson gave bonds in 1825, 1827, 1828, 1829, 1830, 1831, and 1840; and for no other years since he has been elected Treasurer, can bonds be found. In 1839 no bond was given by Col. Davidson; in 1840 the State jumped accounts with the Treasurer, and he gave bond for that year, and has never given bond since; and since that time there has been a regular annual deficit in the Treasury. The best guard for the Treasury of the State, is an honest and competent Treasurer—a vigilant, faithful, and competent Governor.

J. W. DAVIS, *Chairman.*

Messrs. J. Stuart and Conklin, from the same committee, made a supplemental report, which is as follows, viz:

The undersigned deem it proper to make the following explanatory additional Report—not that they take an issue with the Chairman upon the conclusions to which he has arrived at—we agree with the Chairman in his reasoning, and feel driven to the conclusion that the Governor was guilty of a nonfeasance of office in not exacting bonds of the Treasurer—

but we think the report, as drawn out by our Chairman, contains surplus matter in the reference and quotations from the Journal of the House. For we think a mere averment, in the report, that the House had never recognized a duty as devolving upon it, to take the bond of the Treasurer, would have gone fully as far to sustain the point, to which the Chairman was arguing, as the voluminous reference to the House Journals do. And further: the concluding clause of the report—"The best "guard for the Treasury of the State, is an honest Treasurer—a vig- "ilant, faithful and competent Governor." Now, we think such great interests of the State as the Treasury, should not be risked to the mere capacity and honesty of State officers, for these are qualifications for office about which we can have no certain tests. We think the best guaranties of the integrity of the Treasury, consist in holding all officers connected therewith to the same rigid obligations for a faithful performance of their duties.

JAS. STUART,
W. L. CONKLIN.

Questions to be put to Witnesses, under the Resolutions to investigate the late Treasurer's defalcation.

1. Do you know that James Davidson did give bond, as Treasurer of Kentucky, during the years 1841–2–3–4–5–6–7 and 8; and, if so, do you know who any one or all of his securities were during any one or all of said years?

2. Was you one of the securities?

3. Were you applied to by Col. James Davidson to become one of his securities during any one of said years; and, if so, which one or ones?

4. Did you consent to go security for Col. Davidson in his official bond, as Treasurer, during any one of the aforesaid years?

5. Did you consent, at any time during either of said years, that Col. Davidson should hand in your name to the Governor or Senate, for his or their approval as one of his securities?

6. Did you, when you first heard of the defalcation of Col. Davidson, believe that you were his security in his official bond?

7. Do you now consider that you are responsible to the State for any portion of the money due by Colonel Davidson as Treasurer?

8. When did you first learn that Col. Davidson was a defaulter?

9. Did you know it before it was made public?

10. How long did you know it before it was published in the newspapers?

11. Do you know of any person by whom this committee can prove that there was a bond given by Col. Davidson, during the years from 1841 to 1848 inclusive? If so, by whom?

12. What do you suppose Col. Davidson is worth, in visible property?

13. What office do you hold under the Government of the State of Kentucky now?

14. What offices, or office, have you held under the Government of Kentucky during the last nine years?

15. When the Treasurer presented his official bond to the Secretary to be sworn in, whilst you were Secretary of State, or Assistant Secretary, what entry, if any, did you make on the Executive Journal, or the book kept by you to record Executive proceedings in?

16. Were you, in any one of said years, called upon by any State officer to execute a bond as surety for Col. Davidson?

17. Were you, or not, fully apprised, during these several years, or some of them, that Col. Davidson had not executed his bond, as required by law? If yea, why did you not report the fact to the General Assembly, or some public authority?

18. Was, or not, the omission to take and exact of Colonel Davidson a bond, or bonds, in said years, a wilful one, with the knowledge that it had not been done; and was, or not, the same intentionally kept from the notice of the Legislature.

19. Did Col. Davidson annually, or any year during the aforesaid periods, take the oath which he was, by law, required to take as Treasurer?

20. Did you keep any record of the oaths so administered to Col. Davidson; and, if so, what and where?

21. Where are the bonds of the Treasurer usually kept?

22. Do you know where they have been kept during the period aforesaid?

23. Do you know that any person, besides the Secretary of State or his Assistant, has had access to the bonds of the Treasurer?

24. If no bond, or bonds, have been taken during any year for the period, state the reason why no bond was taken?

25. Is there no minute, note, memorandum, or writing, usually kept in the office of Secretary of State, whereby it could be known that there had been a bond, if the bond itself should be lost, stolen, or destoyed?

26. If so, will not said note, memorandum, or writing, show who the securities in the bond are?

27. Did you, whilst you were Secretary or Assistant Secretary of State, consider and believe that it was not the duty of either the Governor, Secretary or Assistant Secretary of State, to take the bond of the Treasurer, or see that he executed it; and, if not, whose duty did you conceive it to be?

28. Did you believe it the duty of the Governor or Secretary, while you were Secretary of State, or Assistant Secretary, to see that the Treasurer gave bond; if yea—do you think so now? if nay—when did you change your mind?

29. Describe the paper found by you amongst the Treasurers bonds for 1844? State in whose hand writing the slip is—whose the memorandum on the back of the slip, and how the paper is folded and endorsed, and whose hand writing the endorsement is in?

30. Did you conceive it your duty to administer the oath of office to the Treasurer, annually, whilst you were Secretary; and, if yea, did you do so?

31. Did you, or either of you, during the time you were acting as Secretary, or Assistant Secretary, or since that time, communicate to the

persons whose names were handed into the Senate as the securities of Col. Davidson, that no bonds had been executed by which they would be liable; if such communications were made, at what time?

32. Did you, or not, know, whilst you were Secretary of State, that the late Treasurer, James Davidson, had not executed bond either of the four years of Governor Letcher's administration? And if no bonds were executed, did you communicate the fact to the Governor?

33. Were you ever security for Col. Davidson in his Treasurer's bond? If so, who took the bond? Who witnessed it?

34. Who presented the names to you, which you sent to the Senate for their approval, as securities of James Davidson in his official bond?

35. How did you know that the persons whose names were presented to you were the securities of Colonel Davidson?

36. Did Col. Davidson, when he handed to you, annually, during your administration, names for your approval, tell you that he had executed bond? If not—how did you learn that he had given bond?

37. If Col. Davidson did not inform you that he had given bond, and no one else so informed you, and you did not know that he had given bond, why did you send in names to the Senate, as the securities of Col. Davidson in his official bond?

No. 1.—*Evidence of Tho. S. Page.*

Tho. S. Page, Esq.:

State if you have executed bond during the period you have been 2d Auditor? If so, who took it from you? Who administered to you the oath of office?

J. W. DAVIS,
Chairman of Committee.

I have given, I think, two bonds; the bond I had prepared at the Secretary's office, and handed the same to the Governor. Henry Wingate administered the oath of office.

THO. S. PAGE.

No. 2.—*Evidence of Clay Harlan.*

Answer to 29. By Clay Harlan.

There is among the Treasurer's bonds, on file in the Secretary's office, a slip of paper which I believe to be in the hand writing of James Davidson, the then Treasurer, in the words following, to-wit:

"The Treasurer names to the Governor, as his security, the following persons: Thos. S. Theobald, Jacob Swigert, A. G. Hodges, and A. C. Keenon."

This slip of paper is attached to a half sheet, which, after being folded, is endorsed on the back in words and figures following, to-wit:

"*Treasurer's securities.* Approved February 29th, 1844, and nominated to the Senate."

The said endorsement I believe to be in the hand writing of James Coleman, Jr., who, at the time, was Assistant to James Harlan, the then

Secretary of State. I am at this time the Assistant to Orlando Brown, Secretary of State. CLAY HARLAN, *A. S.*

No. 3.—*Evidence of Orlando Brown.*

To Messrs. DAVIS & CONKLIN:

In answer to your interrogatories, I answer that no bond was executed by Col. Davidson, the Treasurer, in 1839—or, if executed, there is no such bond in my office.

Col. Davidson gave bond in 1840, which bond was witnessed by James Coleman, (now dead,) the then Assistant Secretary of State.

The following is a true and correct copy of the resignation of James Davidson of the office of Treasurer:

"FRANKFORT, August 7th, 1848.

"TO HIS EXCELLENCY,

"W. OWSLEY, *Governor of Kentucky.*

"SIR: It is known to your excellency that I have been for some time in a very feeble state of health, so much so that it has been with great personal discomfort that I have been able to attend to the discharge of my duties as Treasurer of the State.

"Finding that my health instead of improving has been gradually getting worse, and that I am now confined to a sick bed with great uncertainty as to the time of my recovery, and being unwilling that the public business should suffer even in the smallest degree on my account, I have concluded to tender you my resignation, which I hereby do, and to pray your acceptance of the same, and to request you, at *your earliest convenience*, to appoint commissioners with a view to a speedy settlement of all my accounts.

"I am, sir, with sentiments of the highest consideration and regard, your most obedient servant. JAMES DAVIDSON."

Respectfully, yours, &c.

ORLANDO BROWN,

Secretary of State.

No. 4.—*Evidence of Orlando Brown.*

The following is a copy of the certificate filed by me with the bond of Richard C. Wintersmith. ORLANDO BROWN.

"OFFICE OF SECRETARY OF STATE,
"*February* 12, 1849,

"This is to certify, that Richard C. Wintersmith, recently elected Treasurer of the State of Kentucky did, on this day, personally appear in my office, and I administered to him, in the presence of John J. Crittenden, the Governor of this Commonwealth, the oath of office which he then and there took, the same being administered to him by me as Secretary of State, and in the following words: "I, Richard C. Wintersmith, do swear that I will faithfully and truly execute the office of

Treasurer, in all things relating to said office, to the best of my skill and judgment, according to law. So help me God."

"In testimony whereof, I have hereunto set my hand and caused the seal of my office to be affixed, this 12th day of February, 1849. [SEAL.]

"ORLANDO BROWN,
"*Secretary of State.*"

On the original bond of R. C. Wintersmith, on file in my office, the following words are written in the hand writing of Governor Crittenden:

"The genuineness of the signatures of Richard C. Wintersmith, and his sureties, to the above bond, has been satisfactorily shown to me, and I approve the bond. Dated this 30th of January, 1849.

"J. J. CRITTENDEN.

"ORLANDO BROWN, *Secretary of State.*"

No. 5.—Evidence of Orlando Brown.

On the Executive Journal of Governor Owsley, vol. 2, page 219 and 20, the following minute is made.

"The Governor, this day, issued the following notification, to-wit:

"FRANKFORT, *August 5th*, 1848.

"EDMUND H. TAYLOR,
"Cashier of the Branch Bank of the Bank of Kentucky, at Frankfort.

"SIR: I have just learned, in an authentic manner, that Jas. Davidson, Esq., who was elected Treasurer by the last General Assembly of Kentucky, has failed to execute bond, with security, as required by law. You will therefore not regard his check as Treasurer for any money that may have been deposited by him in your Bank, until you are informed by me that the bond has been executed by him.

"WILLIAM OWSLEY,
"Governor, and Chairman of the Commissioners of the Sinking Fund."

Also, on page 220 of same Journal, there is the following entry, made on the 8th August, 1848: "The Governor commissioned Peter Dudley to be State Treasurer for and during the term prescribed by the Constitution and Laws, to fill the vacancy occasioned by the resignation of James Davidson; and, thereupon, the Secretary of State administered to said Dudley the oath of office prescribed by law."

Also, on page 221 of same Journal, there is the following minute, dated August 10, 1848: "Peter Dudley, appointed Treasurer of the State, this day entered into bond in the penalty prescribed by law for the faithful discharge of his duties, as such, with W. G. Talbott and A. W. Dudley, securities, who were approved by the Governor, and the bond ordered to be filed."

The foregoing extracts are from the Executive Journal of Governor Owsley, now in my office, and are the only entries I have been able to find relating to the resignation of Col. Davidson, and the appointment of Col. Peter Dudley, except the entries that relate to the appointment of Commissioners to settle the accounts of Col. Davidson.

ORLANDO BROWN, *Secretary of State.*

No. 6.—*James Davidson's Securities.*

1839–40—Jacob Swigert, Thos. S. Theobald, A. G. Hodges, Churchill Samuel, and Harrison Blanton. Approved February 18th, 1840.

1840–41—Same as 1839–40. Approved February 16th, 1841.

1841–42—Jacob Swigert, Thos. S. Theobald, Adam C. Keenon, and Albert G. Hodges. Approved February 28th, 1842.

1842–43—Same as 1841–42. Approved March 8th, 1843.

1843–44—Same as 1842–43. Approved February 29th, 1844.

1844–45—Jacob Swigert, A. C. Keenon, A. G. Hodges, and A. P. Cox. Approved February 8th, 1845.

1845–46—Same as 1844–45. Approved February 23rd, 1846.

1846–47—Newton Craig, Jacob Swigert, and Albert G. Hodges. Approved February 24th, 1847.

1847–48—Jacob Swigert, A. P. Cox, and A. G. Hodges. Approved February 17th, 1848.

No 7.—Evidence of Newton Craig.

Newton Craig being sworn, states, that some two or three years since he was called on by Col. James Davidson to go his security in his official bond as Treasurer of Kentucky. He told Col. Davidson that he could not go his (Col. D.'s) security, because he (Craig) was bound to those who had gone his security as Keeper of the Penitentiary not to go any person's security, and so he could not go Col. Davidson's.

Newton Craig is Agent and Keeper of the Kentucky Penitentiary. Never was applied to by Col. Davidson to go his security but once.

He learned of the defalcation of Col. D. first in August, 1848.

He does not know of any person by whom it could be proved that a bond was given. He never was called on by any officer to sign Colonel Davidson's bond.

Did not know that Col. Davidson had not given bond, until August, 1848; and did not know that Col. Davidson had given his name to the Governor as one of his securities, for the approval of the Governor, until the rumor of the defalcation.

The conversation above detailed with Colonel Davidson was in rather a jocular style, and Col. Davidson might have inferred from the manner of Craig, that when his, Col. Davidson's, bond was presented, that he, Craig, might sign the bond.

N. CRAIG.

No. 8.—*Evidence of A. G. Hodges.*

1. I do not know whether Col. Davidson gave bond as Treasurer during any one of the years contained in the first interrogatory. I do not know who any one of his securities are, except as they were published in the Senate Journal. The Journals of the Senate will show with more certainty than I can state them.

2. I believe that I signed a bond, or bonds, as one of Col. Davidson's securities many years ago. My name has been sent to the Senate, I believe, during all the years mentioned in the first interrogatory; and I would have signed the bonds from year to year, had they been presented to me, without any sort of hesitation—believing, from the reports made to the Legislature from year to year, that every thing was right; and believing also that the committees, whose duty it was to examine into the correctness of the Treasury, and other public offices, had fully satisfied themselves that every thing was right, or that they would not have so reported. Several times I was called upon by Col. Davidson, and with my approbation my name was sent to the Senate. Whether every year mentioned, I cannot state. I have no recollection of having signed a bond during any one of the years mentioned in the first interrogatory.

The 3d, 4th and 5th interrogatories responded to in my answer to second interrogatory.

6. I believed that I was bound as a security, until otherwise informed—which was at the same moment that the fact of the supposed defalcation was communicated to me.

7. I do not consider that I am *legally* responsible to the State for any portion of the supposed defalcation of Col. Davidson—at least, I am so informed by gentlemen of the legal profession.

8. I think it was in the afternoon of the first day of the August election, 1848.

9. I do not think it had.

10. I think that it was in the newspapers either that week or the week after.

11. I do not.

12. I have no knowledge whatever of Col. Davidson's pecuniary condition.

13. I am one of the Public Printers, elected during the present session of the Legislature.

14. I have been Public Printer during the whole time.

16. I never was.

17. I did not know, (never having read the law defining the duties of Treasurer,) that it was his duty to execute a bond from year to year. I supposed that he had fully complied with the requisitions of the law, when the names of his securities were sent to the Senate, the bond having been once signed.

33. I have been told by others that my name is to his bond given in 1840. I have now no recollection at what time I signed it—who presented it for my signature, or who was present when it was signed.

A. G. HODGES.

No. 9.—Evidence of Jacob Swigert.

1. I do not know what years he did or did not give bond. I have no means of knowing.

2. I signed several bonds of Colonel Davidson, but have no recollection of the years.

3. I have no recollection of Colonel Davidson mentioning the subject

to me more than two or three times. The years I don't recollect, except the first or second year after his first election.

4. I think it likely he mentioned the subject to me one of those years, but I cannot fix the time.

5. Answered in the fourth.

6. I know that I had signed some bonds, and in the Secretary's office. I was informed that there was no bond since the last year of Wickliffe's administration; and at the same time was informed that there was an apparent defalcation.

7. I do not consider myself as bound, as I never signed the bond, and the committee of the Legislature reported his accounts all correct.

8. The Friday or Saturday preceeding the last August election.

9. No; I never knew until the time stated in the last answer; it was in the Secretary's office in the presence of the Governor and Auditors, and one or two other persons.

10. I have stated the time I heard it, I suppose it found its way into the papers shortly afterwards. I have no means now of ascertaining how long.

11. I do not.

12. I have no correct idea; I would suppose between ten and fifteen thousand dollars.

13 and 14. I am Clerk of the Court of Appeals of the State, and was appointed in October, 1825.

15. Does not apply to the witness.

16. I always signed the bonds when called on.

17. I never thought about it; it did not enter my mind; I never read the law in relation to the Treasurer's office until the day before I learnt of the supposed defalcation; I supposed all was right, and if I had anything to do I would be sent for.

18. I don't believe the omission was willful, it was a mere oversight or neglect; and no person, so far as I know or believe, supposed he was a defaulter up to the time of said meeting.

19, 20, 21, 22, 23, 24, 25 and 26. Knows nothing.

33. When I signed the bond it was in the Secretary of State's office. I was, according to my present recollection, sent for by the Secretary—the Porter bearing the message.

Question. Was, or not, you informed that there had been no bonds executed by Colonel Davidson since Governor Wickliffe's administration; if so, by whom was it communicated, and at what time and place was it communicated?

Answer. I never was informed that there had been no bond given, since the last year of Wickliffe's administration, until the Friday or Saturday preceding the last August election; and, as before stated, it was in the Secretary of State's office, in the presence of Governor Owsley and the two Auditors. I think Bodley, First Auditor, stated the fact when I entered the office. J. SWIGERT.

No. 10.—*Evidence of Austin P. Cox.*

Answers of Austin P. Cox to the interrogatories of House committee.

1. I do not know that James Davidson gave bond for either of said

years; neither do I know who his securities were, if he gave any bond.

2. No.

3. I have no recollection of having been applied to, to become security for James Davidson for either of said years, but have a faint impression upon my mind that I was; but for which year I cannot say.

4. The answer to 3d question is also an answer to this. In addition, I will remark that if Col. Davidson had applied to me, I would have consented to the use of my name.

5. The answers to 3d and 4th questions, answers this.

6. When I first heard of the defalcation, I was at the same time informed that I was on his bond, and I believed it.

7. No.

8. Some time during the past summer, soon after he had resigned.

9. No; I did not believe it then.

10. I don't know when it was published in the newspapers, and can't say that I knew it or believed it until the report of the Commissioners, made under directions of Gov. Owsley.

11. No.

12. His estate here I suppose to be worth $6,000, but whether entirely paid for or not I can't say.

13. I am Secretary of the Board of Internal Improvement, and, *ex officio*, a member.

14. None other.

15. It was usual to make a short entry, showing every thing that the Executive done; but whether in this case the Executive did any thing to be noted I cannot say.

16. Not that I know of.

17. I did not know but that the Treasurer executed his bonds regularly.

18. It was not my duty to take the bond, and of course the omission was not willful on my part; whether it was so on the part of others, I can't say.

19. I do not know.

20. I have no recollection of ever having administered the oath to him.

21. In the office of the Secretary of State.

22. I do not know.

23. I do not.

24. I know of no reason, and cannot therefore state any.

25. The Journal in the Secretary's office is intended to show or note the acts of the Executive. I have never examined the law, and know not what part, if any, the Governor has, in seeing the Treasurer's bond executed. If any duties in relation thereto are imposed on the Executive, the minute book in the Secretary's office would show what he did.

26. Certainly.

27. Really I have no opinion on the subject. Since this subject was agitated, I have heard various opinions from legal men; and when they differ as they do, I think a plain man may be permitted to have no opinion at all.

28. The answer to the last question may be considered an answer to this. I don't recollect that I ever took a bond from the Treasurer when I was Secretary of State; and I should not have recollected taking one when I was Assistant Secretary of State, had not one been shown me, filled up and witnessed by me since I came before this committee.

29. I know nothing about it.
30. I have no recollection on the subject.
31. I never did.
32. I have done no business in the Secretary's office since 1836.
33. I have no recollection of ever signing any bond either in blank or filled up as the security of Col. Davidson. AUSTIN P. COX.

No. 11.—*Evidence of Thomas S. Theobald.*

Answer to question one. I do not.
Answer to question three. I was not.
Answer to question five. I did not.
Answer to question six. I did not.
Answer to question eight. I think it was during the late illness of Col. Davidson that I first heard the rumor.
Answer to question eleven. I do not.
Answer to question fourteen. I was Keeper of the Kentucky Penitentiary in 1840, and up to the 1st March, 1844.
Answer to question sixteen. To the best of my knowledge I was not.
Answer to question seventeen. I was not.

THO. S. THEOBALD.

No. 12.—*Evidence of Wm. D. Reed.*

Answer to question 1. I do not know that he did give bond during any of those years. I had no connection with the office of Secretary of State, except from the month of April, 1847, until the month of September, 1848, when the late Governor went out of office. As a necessary consequence, I know nothing about the sureties to any such bond.

Answer to question 8. I think it was in the month of August last, that I first heard of Col. Davidson's imputed defalcation. I am informed, however, that rumors of a probable defalcation had, some few weeks prior to that time, reached the Governor's ears—and an investigation was set on foot to ascertain the fact. During this time I was in very bad health, and seldom, if at all, in the Secretary's office.

Answer to question 9. When I first heard of said defalcation, I think it had already transpired to some few persons. In a day or two, at most, it was a matter of public talk.

Answer to 10. I cannot state when it was published in the newspapers.

Answer to 11. I know of no person by whom it can be proved that Col. Davidson did execute bonds, during the years specified, from 1841 to 1848, inclusive.

Answer to 12. It is impossible for me to state what amount of *visible* property Col. Davidson has. If the property I suppose to be his, in Frankfort, is really his, I should estimate it, *roughly*, at say $8,000. What visible property he has elsewhere, I know not.

Answer to 13. I hold no office under the State of Kentucky.

Answer to 14. I have held, during the last nine years, but one office under the State of Kentucky, (the office of Secretary of State.) In the winter of 1846–47 I was a member of the Kentucky Legislature. I do not know whether the latter is an *office*, in the meaning of the question.

Answer to 15. I am not apprised that any such bond was presented by the Treasurer to the Assistant Secretary of State. I know that none such was presented to me, nor was there any request made of me to swear in the Treasurer. No entry, in regard to this matter, was made on the Executive Journal, within my knowledge.

Answer to 19. While I was Secretary of State, Col. Davidson did not take any oath before me, as Treasurer; nor do I conceive that I would have been authorised to administer such oath, in the absence of his compliance with the provisions of the act which makes it his duty first to execute bond, &c. The act of 1798, which requires the Secretary to administer an oath to the Treasurer in the presence of the Governor, in the opening paragraph of the 1st section, provides "that the Treasurer shall not be capable of executing the said office, until he hath given bond, with such security as shall be approved by the Governor, with the consent of the Senate." If the Treasurur had presented himself for the oath, I would not, therefore, in the absence of such bond as the law required, have felt authorized to administer it. ☞It is proper to say, however, that Col. Davidson never presented himself before me to take any such oath.

Answer to 21. I have examined all the bonds on file in the office of the Secretary of State. I find, since the 7th day of June, 1792, up to the vacation of the Treasurer's office in 1848, that but 26 bonds have been executed in all. Bonds were executed in the following years—1792, 1796, 1797, 1798, 1800, 1803, by John Logan. 1814, 1815, 1816, 1817, 21st Jan. 1818, by John P. Thomas. 30th Jan. 1818, 1819, 21st Jan. 1820, 8th Dec. 1820, 1821, 1822, 1823, 7th Jan. 1825, by Saml. South. 15th Dec. 1825, 1827, 1828, 1829, 1830, 1831, 1840, by Col. Davidson. Where the other bonds have been kept I know not. The above mentioned bonds, I suppose, have been kept in the Secretary's office; but I doubt whether such keeping has not been altogether gratuitous, inasmuch as no law, within my knowledge, has ever made the office of the Secretary of State a place of deposit for the Treasurer's bonds.

Answer to 23. The papers in the office of the Secretary of State, during my continuance in office, were under the Secretary's and Assistant Secretary's care, and not subject to *removal* by any one, out of the office. The papers were at all times liable to examination by the public, under the Secretary's supervision. All persons had legitimate access to said papers, for purposes of examination. No person had access to them for the purpose of removing them, unless by stealth. No purloining was ever committed upon them within my knowledge.

Answer to 24. I cannot say that any one particular cause prevented the execution of the bond; but it seems to me that, as a question of law, the *Governor*, (so far as he was concerned,) might well have hesitated whether it was his peculiar duty to see to the execution of the bond.

1st. The Treasurer is an officer annually elected by the Legislature; and he is not Treasurer, until his bond is executed; it was the duty of the Legislature, therefore, in the event of the failure of the Treasurer to exe-

cute such bond, to elect another officer; the Governor might have been easily deluded into the belief that bond had been executed, when the Legislature adjourned without making such election as they should have made in that event.

2d. It may well be doubted whether any law requires the Governor to see to the execution of the bond.

3d. The existing laws only enjoin it upon the Governor to *approve* the sureties to the bond; they do not direct him to *demand the bond*, or to receive *the bond* as an *executed instrument*.

4th. The law appoints no place of deposit for the bond.

5th. The law directs the Senate to approve the sureties to the bond also—in other words, to consent to the sureties—and the duties of the Senate in this regard are co-equal to those of the Governor; the neglect of a co-ordinate department in this respect, may well have superinduced a corresponding neglect on the part of the Governor.

6th. It is the duty of the General Assembly to appoint a committee, annually, to examine into the state of the Treasury; and the omission of this body to detect the Treasurer's failure to execute the bond, as well as his alleged defalcation, may have operated to assure the Governor that all was right. I have no doubt, however, had Governor Owsley suspected that there was a failure to execute a bond, or that there was a defalcation, that he would, promptly, have taken every means in his power to correct such a state of things—regardless of the *letter* of his authority in that respect.

7th. I may mention, lastly, that the annual nomination of the sureties to the Governor by the Treasurer, as well as the known reputation of that officer for integrity of character, tended very greatly to mislead the Governor, in regard to the actual state of the case; and that, the instant the Governor had reason to suspect the true condition of things, he did use every means in his power to rectify it.

Answer to 30. I did not make any such communication to such persons.

W. D. REED.

No. 13—*Evidence of R. P. Letcher.*

R. P. Letcher, late Governor of Kentucky being called upon, states as follows:

To Question 1. I do not know that Jas. Davidson executed bonds in either of the years designated, in the foregoing question.

Whilst I was Governor, during each year, (which will be seen by a reference to the Journals,) the names of his sureties were regularly transmitted to the Senate, according to the requirements of the statute for approval. The Treasurer first submitted the names of his sureties to me; they were then sent up to the Senate.

I had supposed, indeed never entertained a doubt to the contrary, but that the bonds of the Treasurer were executed during the period of my administration. After sending to the Senate the names of the securities, which being approved, I considered the matter at an end, so far as my official duties were concerned, and never once had the slightest suspicion that there had been a failure to execute bonds. It must be borne

in mind, that the Treasurer is a Legislative officer, elected every year, and that he is not appointed by the Governor.

It is proper to say, however, if I had known, believed, or suspected, that bonds had not been given, although not made my special duty, by statute, to superintend their execution, I should, nevertheless, most undoubtedly required the Treasurer forthwith to execute bond. But having the most entire confidence in the honesty and fidelity of Colonel Davidson, and joint committees of the Legislature, every year during the period of my administration, after examination, having reported that all was right, I did not, and could not for a moment, entertain a doubt about it.

What was done in the years '45, '46, '47 and '48, by my successor, I do not personally know; but I understand, his course in regard to the matter was exactly in accordance with my predecesor's, Governor Clark's, as well my own.

8th Question. *Answer.* Some time in August last, was the first time I had an intimation that it was supposed Col. Davidson was a defaulter. I did not hear of it until the report had been pretty generally circulated, I believe, in town. The day I returned home from the springs, after an absence of some two weeks, was the time I heard it first.

11th Question. *Answer.* I do not.

13th Question. *Answer.* I hold no office under the State or Federal Government.

14th Question. *Answer.* I have held no office under the Sate Government, as far as I now remember, during the period embraced by the interrogatory, except that of Governor of the State of Kentucky.

17th Question. *Answer.* I was not apprised of the fact, at any time, whilst I was Governor, that Col. Davidson had failed to execute bond. I never had the most remote suspicion that such was the case. Upon the contrary, for the reasons suggested in my answer to the 1st interrogatory, I had the most entire confidence that bonds were executed regularly. A doubt in regard to the subject, never for an instant crossed my mind.

19th Question. *Answer.* It was not made any part of my duty to call upon the Treasurer to take an oath, and I do not know whether he was sworn or not.

23d Question. *Answer.* No one had access to the Secretary office, as far as I know or believe, unless in the presence of the Secretary or his Assistants.

34th Question. *Answer.* Jas. Davidson always presented the names of his sureties to me before they were transmitted to the Senate.

35th Question. *Answer.* I knew the persons whose names were offered. They reside, I think, generally, in this town. I did not suppose, nor do I now suppose, that the name of any gentleman was offered without his knowledge and consent; and no one ever intimated to me a word to the contrary. Publicity was given to the names of all the sureties, by being sent to the Senate and approved by the Senate.

36th Question. *Answer.* When Col. Davidson presented for my consideration, each year, during my administration, names of his sureties, to be sent to the Senate for their approval, he never said, as far as I know or remember, one word in regard to the execution of his bonds, and not entertaining a doubt upon the subject, of course I made no enquiry

about it. I have stated again and again, that having the most implicit confidence that all was right and proper, and having had every reason to suppose that all was right and proper, my mind was never led to doubt about it, and therefore instituted no enquiry. The Treasurer, I again say, was a Legislative officer, elected every year by the Legislature, and every year reported to be in a right condition, by a joint committee of the Legislature, I did not doubt it.

37th Question. Already answered in substance.

R. P. LETCHER.

No. 14.—*Evidence of James Harlan.*

Answers of James Harlan to the Interrogatories propounded to him by the select committee of the House of Representatives.

To the first Interrogatory, I answer—I do not know that James Davidson did give bond, as Treasurer, during the years 1841–2–3–4–5–6–7 and 8. During the administration of Governor Letcher, which commenced in September, 1840, and ended in September, 1844, he transmitted a message to the Senate every session of the General Assembly, of the names of the sureties offered by the Treasurer—See Senate Journal of 1840–41, page 426; 1841–2, page 377; 1842–3, page 372; 1843–4, page 375. Whether the Treasurer executed bonds for those years I knew not. I did not regard it as the duty of the Governor, by law, to see to the execution of a bond by the Treasurer.

To the 8th Interrogatory, in these words—"When did you first learn that Col. Davidson was a defaulter," I answer—the first information I had on the subject was early in August last. I have no means of ascertaining the precise day; but it was a few days before I heard that Col. Davidson had resigned his office of Treasurer.

To the 9th Interrogatory, I answer—I do not know whether the information I received of the imputed defalcation of Col. Davidson, was, or not, generally known when I first heard of it. It was before I saw any notice of the matter in the newspapers; but how many persons besides myself had heard of said defalcation, I have no means of knowing.

To the 10th Interrogatory, I answer—I do not remember. I think it was only a few days.

To the 11th Interrogatory, I answer in the negative.

To the 12th Interrogatory, I answer—I have no certain means of knowing the value of Col. Davidson's visible property. I would suppose, however, he is worth from eight to ten thousand dollars; this is conjecture merely.

To the 13th Interrogatory, I answer—I am Notary Public for Franklin county.

To the 14th Interrogatory, I answer—I was Secretary of State during the whole of Governor Letcher's administration. I was Secretary of the Commissioners of the Sinking Fund from January, 1841, until about the first of March, 1845. I was commissioned Notary Public in 1844. These are all the offices held by me since 1840, except member of the Legislature, Director of the Bank, and Trustee of the town of Frankfort. These

three last, I understand from the committee, are not embraced in the question.

To the 15th Interrogatory, I answer—the Treasurer never did present any bond to me executed by him as Treasurer, and of course, no entry was made on the Executive Journal. The Journal was intended to keep a record of what *was done*.

19th Interrogatory. I have no recollection that Col. Davidson ever did apply to me to take the oath of office, as Treasurer, during the time I was Secretary of State.

20th Interrogatory. I answer, that no record of an oath was kept.

21st Interrogatory. I answer, that when I was appointed Secretary of State, I found a bundle in the Secretary's office labelled, "Officer's Bonds," or "Bonds of Officers;" but I did not make any particular examination of them. I found Mr. James Coleman in the office as Clerk, or Assistant Secretary. He had held the office under the administrations of Governors Clark and Wickliffe, and was continued in the same office during the administration of Governor Letcher. He made up the Journal from the entries made in the blotter, and put all the papers in their proper places.

To the 22nd Interrogatory, to-wit: "Do you know where the bonds are usually kept," I answer—I have stated, in my last answer, that a bundle of bonds was in the Secretary's office when I was appointed. I know of no law directing that bonds of the Treasurer be kept in the Secretary's office.

23d. "Do you know whether any person except the Secretary and Assistant Secretary had access to the bonds of the Treasurer," I answer—the papers of the Secretary's office were kept in presses, in bundles labelled. If the committee mean by the interrogatory, whether the papers could be purloined, I answer in the affirmative, because they were as liable to be taken as the papers in any other public office. I have no knowledge, nor do I believe, that any papers were purloined from the office whilst I was Secretary of State.

24th Interrogatory. I cannot state the reason why bonds were not taken from the Treasurer. I did not regard it as *my duty* to see that the Treasurer executed bonds. He was elected by the Legislature, not appointed by the Governor. The law, according to my construction of it, did not make it the *duty* of the Governor to see that a bond was executed.

25th Interrogatory. I refer the committee to the Executive Journal of Governor Letcher for information on that subject. It is contained in four volumes, and as the committee refuse to permit an answer to be prepared out of the committee room, I cannot at this late hour of the night, 10 o'clock and past, go into the Secretary's office and examine said Executive Journals.

27th Interrogatory. I have already said what my construction of the law relating to the Treasurer's bond in my answer to the 24th question. I cannot say *now* what was my opinion whilst I was Secretary of State, as to my duty in regard to the execution of a bond by the Treasurer. I can only say, that if I had been applied to to administer the oath of office to the Treasurer, I would have done it. I repeat, I did not regard it as *my duty* to see that a bond was executed.

To the 31st Interrogatory, I answer—No.

Interrogatory by the committee: "Did you whilst you were Secretary, or Assistant Secretary of State, consider and believe that it was not the duty of either the Governor, Secretary, or Assistant Secretary of State, to take the bond of the Treasurer, or see that he executed it; and if not, whose duty did you conceive it to be?"

Answer. I was never Assistant Secretary of State. I cannot say *now* what I considered or believed whilst I was Secretary of State as to the respective duties of Secretary, Assistant Secretary, and Governor, in regard to the Treasurer's bond. I have no distinct recollection at present of examining the law then with the view of forming an opinion upon it. I will not say I did not do it. I have already stated, what my opinion of the law is on the subject, and that is, it does not make it the duty of either the Governor or Secretary of State to see that a bond was executed. As regards the latter part of the interrogatory, which requires me to state whose duty I conceive it to be to take bond from the Treasurer, I have to say, I feel under no obligation to give the committee a legal opinion for their information; but if they deem it of any value, I express the opinion that as the Legislature appoints the Treasurer, by the joint vote of the two Houses, it is their duty to see that their appointee does every thing required by law to qualify him to enter on the discharge of the duties of the office; and on his failure, to make a new election. That would necessarily be the case unless the law made it the *special duty* of some officer to take bond from the Treasurer. And I am not aware of the existence of any such law.

By the committee. "Did you or not know, whilst you were Secretary of State, that the late Treasurer, James Davidson, had not executed bond for either of the four years of Governor Letcher's administration; and if no bond or bonds were executed, did you communicate the fact to the Governor?"

Answer. I did not know, whilst I was Secretary of State, that James Davidson, late Treasurer, had not regularly executed his bonds. I never did know until after the rumored defalcation of Col. Davidson that he had not regularly executed his bonds. I had supposed, before that time, he had executed bonds, and was surprised to learn that no bonds were found. I do not mean to say that bonds were not executed; I can only say I have no knowledge on that subject.

February 17, 1849. J. HARLAN.

No. 15—*Evidence of A. S. Mitchell.*

A. S. Mitchell's answers.

1. Do not know of any bond executed by James Davidson, Treasurer, for the years named; nor do I believe any was executed. I was Assistant Secretary from September 1844 to September 1848, and during that period I am now confident no bond was executed by James Davidson. I know that every winter, after the election of James Davidson by the Legislature, he brought to Governor Owsley names written in his (Colonel D.'s) own hand writing, on a slip of paper, saying to the Governor he offered those names as his sureties, for the approbation of the Governor and the Senate: whereupon, the Governor would send the names to the

Senate, by which body they were always approved. See Senate Journal for 1844, 5–6–7. Colonel Davidson never produced any bond to Governor Owsley or to me. But I always supposed the bonds were executed, as I did not conceive that the persons offered by Colonel Davidson as sureties were sureties at all if their names were not signed to any bond. The reason why I did not think it strange that Colonel Davidson never produced any bond is, that I did not know it was the duty of the Governor or Secretary to file the bond. I knew that some bonds are, by law, required to be filed in the Secretary's office; some in the 1st Auditor's office, and some in the 2d Auditor's office. I supposed the Treasurer's bond was among the latter, and such I believe was Governor Owley's impression; as he never distrusted but that Colonel Davidson was doing every thing right.

8. I think it was in the month of July, 1848.

9. I was told of it confidentially some weeks before it became public. Governor Owsley determined to have the matter thoroughly investigated before he took any steps in the matter. That investigation was conducted by the two Auditors, and occupied two or three weeks. The defalcation appearing real, a new Treasurer was appointed, and the matter got into the newspapers.

10. The answer to this question is found in my preceding answer.

11. I do not.

12. I know nothing thereof.

13. None.

14. The one mentioned in my first answer, and the clerkship of the Commissioners of the Sinking Fund.

15. The Treasurer never presented any official bond. When he presented the *names* of his sureties, as mentioned in my first answer, those names were sent by Gov. Owsley to the Senate; and when the Senate approved them, an entry was always made on the Executive Journal that the Governor had presented those names to the Senate and that the Senate had approved them.

16. I was not.

19. He never, to my knowledge, took any oath of office while I was Assistant Secretary. I know nothing of any previous period.

20. I knew of no oath or kept record thereof

21. I do not understand that the Legislature has ever designated in what place said bonds should be kept. I have searched the Secretary's office, and find not half the Treasurers' bonds on file there that should have been executed since the formation of the Government. If the remaining bonds were ever executed, they must have been filed elsewhere; but I have no idea where.

23. I do not know of any one who ever had access to the Treasurers' bonds on file in the Secretary's office while I was in said office, except in the presence of some proper inmate of the office. The Secretary's office, however, may probably as easily be purloined from as any Clerk's office in the country, by a villian determined to do such an act. All the papers on file in the Secretary's office are kept in presses, and are open to the inspection of the public at all times. From my knowledge of the police of the office, I do not think any purloining could have been committed which ordinary vigilance could have prevented. Bolts and bars and

strong boxes would be wholly impracticable in the custody and proper handling of the papers of the Secretary's office.

24. My answer is contained in my answer to the first question, so far as relates to my term of office as Assistant Secretary.

25. Nothing but the entry on the Executive Journal, mentioned in my fifteenth answer, so far as I know.

26. The entry I speak of in my fifteenth answer will always show what securities the Treasurer offered, and the Governor and Senate approved; but it will not prove that either the Treasurer or proposed securities ever actually signed the bonds. Nothing but the bonds themselves, I imagine, could satisfactorily establish the latter fact.

27. During Governor Owsley's administration I never thought it was the duty of the Governor or Secretary of State to see that the Treasurer executed bond. I never read the laws relating to the Treasurer's office to find out what it was the Treasurer's duty to do. I was a young and inexperienced office-holder and Colonel Davidson had been in office twenty years. I supposed Col. D. knew all about his duties, in giving bond, as he had been so long doing it, and therefore I never doubted but that Col. D. had discharged his duty when he brought the names of his securities to the Governor. I suppose that by his calling them his "*securities*," they were on his bond, and that the bond had of course been filed in some other office. I repeat, I thought that Colonel Davidson knew it was his duty to give bond; and that from his long service as Treasurer he knew better than any one else how he was to execute it and where he was to file it. Consequently I never distrusted for a moment that anything was neglected by Colonel Davidson. Such, I am satisfied, was Governor Owsley's reason for never inquiring for the Treasurer's bond.

28. I have never read the laws relating to the Treasurer's office and duties, and consequently have had no change of mind as to anything connected with the Treasurer. I observed Colonel Davidson's *practice* under the law, and from my confidence in the man, I always supposed his practice was consistent with the law. I know of no palpable neglect of duty in regard to said officer, in any quarter, except the following: 1st. That the Treasurer did not regularly execute bonds; and, 2d. That committees of the Legislature, who were annually appointed and explicitly required by law to examine the condition of the Treasury—looking through all the vouchers and ascertaining the amount of money on hand—never, in any instance, so far as I informed, complied with their duty in these particulars. But all this I have learned only since the supposed defalcation in the Treasury came to the public last year.

30. I never made any communication to any one on that subject.

A. S. MITCHELL.

ADDITIONAL QUESTIONS BY COMMITTEE.

Question 38. Did you, as Assistant Secretary or otherwise, tell Col. Davidson that he was no longer Treasurer, before he resigned his office; and was this message sent by Governor Owsley to Col. Davidson?

Question 39. Do you know that Col. Davidson was notified by Governor Owsley that he was not Treasurer, before he sent his resignation to the Governor?

Question 40. Do you know that the Governor issued a notice to Col. Taylor, Cashier of the Bank, not to accredit any order of Col. Davidson, as Treasurer, as he had failed to give bond, prior to the time that Col. Davidson made his resignation?

Answer. As soon as Gov. Owsley learned that there was a probable defalcation in the Treasury, he looked into the matter, and found that Col. Davidson had no bond on file in any office: whereupon, he requested me to go to Col. D. and ask him for his bond, supposing he had perhaps executed one, and had failed to file it. I went to Col. Davidson and found him very ill. I spoke of his bond. He said he had not executed one for several years. I returned to Gov. Owsley, and stated this fact. When the Governor learned this, he sent for a friend of Col. D., and notified him of all the facts of the case, and that Col. D., not having given bond, was not capable of acting as Treasurer. This friend volunteered to get Col. Davidson's resignation, knowing it was impossible for him then to give bond, and Gov. Owsley issued an order to the Cashier of the Branch Bank at Frankfort to pay no Treasurer's checks, as the State had no legal Treasurer. The resignation was obtained, and Col. Dudley was then appointed by Gov. Owsley. The order was issued by Gov. Owsley after finding no Treasurer's bond had been executed, and before the resignation was brought to him by Col. Davidson's friend.

This is my answer to questions 38, 39 and 40.

A. S. MITCHELL.

No. 16.—*Letter from A. C. Keenon.*

Frankfort, Feb. 20, 1849.

To J. W. Davis, Esq.,
Chairman Select Committee, H. R.

Sir: I have been notified to attend before your committee to-night at 7 o'clock. I live in the country, and the state of my health will not permit my being out at night. If you will furnish me with a copy of your questions, I will answer them and furnish you with my answers.

Respectfully, yours, A. C. KEENON

Ordered, That the Public Printer forthwith print 150 copies of said reports for the use of the members of the General Assembly.

And then the House adjourned.

MONDAY, FEBRUARY 26, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An for the benefit of William L. Owens, and others.

An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.

An act to amend the charter of the Campbell Turnpike Road Company.

An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.

An act divorcing Henrietta Dupuy.

And that they had disagreed to bills from this House, of the following titles, viz:

An act to establish the Kentucky College of Medicine and Surgery.

An act to repeal an act changing an election precinct in the county of Henry, from the House of James Etherington, to the house of N. L. Oliver, approved March 1, 1847, and for other purposes.

That they had passed bills from this House, of the following titles, viz:

An act to incorporate the Monodelphian Society of Industrial Education.

An act to divorce Sarah Calvert.

An act to repeal an act incorporating the town of Elizabethtown.

An act for the benefit of the North Benson Baptist Church in Franklin county.

An act to incorporate the Trustees of the Harmony Church, of Garrard county.

An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.

An act to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.

An act to divorce William C. Carnahan, and others.

An act to divorce James D. Franks and William A. Bishop.

An act for the benefit of Rebecca Aron and Nancy L. Rose.

An act supplemental to an act for the benefit of Darwin Johnson, approved day of , 1849.

An act to amend the charter of the Licking and Lexington Railroad Company.

An act for the benefit of John B. Marshall.

An act for the benefit of George W. King, of Henderson county.

An act to incorporate the New Liberty and Marion Turnpike Road Company.

An act to amend the charter of the Danville and Perryville Turnpike Road Company.

An act to revive an act, entitled, an act to incorporate a Company to construct a turnpike road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved February 29, 1836.

An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.

An act to improve the navigation of Middle and Beaver creeks, in Floyd county.

An act to incorporate the Taylorsville and Mount Washington Turnpike Company.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to permit certain persons to build a mill dam across Kinnicanick.

An act for the benefit of Campbell county.

An act for the benefit of the McCracken County Court.

An act to change the mode of advertising the forfeiture and sale of lands for taxes.

An act for the protection of the public property on Licking river, and for other purposes.

An act for the benefit of Christopher D. Weymouth.

An act to divorce Ambrose R. Wright, Samuel Hall and Mary E. Taylor.

An act for the benefit of Lot Adams, of Morgan county.

An act authorizing the running of the dividing line between the counties of Campbell and Pendleton.

An act to change the lines between the counties of Perry and Breathitt.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act to divorce Eli Jester and Catharine A. Jester, and others.

An act to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company, and the act to incorporate the Paris and Combs' Ferry Turnpike Road Company, and for other purposes.

An act to incorporate the Vestry of Grace Church, at Paducah.

An act to incorporate the town of Clayvillage, in Shelby county, and Crab Orchard, in Lincoln county.

An act for the benefit of McCracken county.

An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.

An act for the benefit of the widow and heirs of James Hutchinson, deceased.

An act to divorce Polly Rowark.

An act for the benefit of A. C. Daniel, and others.

An act for the benefit of the Jailer of Ballard county.

An act for the benefit of Sophia Scott.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

An act for the benefit of Robert Williams.

An act to incorporate the Cynthiana and Williamstown Turnpike Road Company.

An act for the benefit of Michael Dolan.

Mr. Hughes moved to dispense with the rules to enable him to propose the following resolution, viz:

Resolved by the Senate and House of Represrntatives, That the joint resolution to adjourn on this day be rescinded, and that we will adjourn *sine di?* on the 28th intsant, at 10 o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Whitsett and Barbee, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Pope,
Messrs. Anderson,	Headley,	Records,
Barnes,	Hite,	Reiley,
Bassett,	Holladay,	Reynolds,
Beaty,	Holton,	Rhea,
Best,	Hughes,	Robertson,
Blair,	Huston,	Rodman,
Boarman,	Jefferson,	Sherwood,
Butler,	Johnson,	Smith,
Collins,	Jones,	Speed,
Daviess, W.	Leonard,	Stevens, J.
Dunlap,	Logan,	Stewart, M.
Duvall,	Lucas,	Stuart, J.
Eubank,	Magruder,	Swan,
Eversole,	McClarty,	Terrill,
Ewing,	McConnell,	Thomas,
Ford,	McFarland,	Turner,
Garland,	Miller,	Vertress,
Garred,	Morris,	Vickers,
Grundy,	Murphy,	Wilson,
Harreld,	Napier,	Woods,
Harrison,	Newell,	Word—68.
Harris,	Noe,	

Those who voted in the negative, were—

Messrs. Barbee,	Davis, J. W.	Lewis, D. P.
Barlow,	Davis, J.	Mason,
Bibb,	Dodds,	Shawhan,
Bledsoe,	Dohoney,	Stevens, S.
Cargill,	Jackson,	Whitsett—16.
Cottle,		

Mr. Newell moved to amend said resolution, by striking out "28th" and insert "27th."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newell and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Dodds,	McFarland,
Barbee,	Dohoney,	Newell,
Barlow,	Duvall,	Rodman,
Bibb,	Eversole,	Shawhan,
Bledsoe,	Ford,	Stevens, S.
Cargill,	Harris,	Vaughan,
Collins,	Jackson,	Whitsett,
Cottle,	Lewis, D. P.	Wilson,
Davis, J. W.	Mason,	Word—28.
Davis, J.		

Those who voted in the negative, were—

Mr. Speaker,	Headley,	Records,
Messrs. Anderson,	Hite,	Reiley,
Barnes,	Holladay,	Reynolds,
Bassett,	Holton,	Rhea,
Beaty,	Hughes,	Robertson,
Best,	Huston,	Sherwood,
Bickley,	Jefferson,	Smith,
Blair,	Johnson,	Speed,
Boarman,	Jones,	Spurr,
Butler,	Leonard,	Stevens, J.
Chenault,	Logan,	Stewart, M.
Daviess, W.	Lucas,	Stuart, J.
Dunlap,	Magruder,	Swan,
Eubank,	McClarty,	Terrill,
Ewing,	McConnell,	Thomas,
Garland,	Miller,	Towles,
Garred,	Morris,	Turner,
Gordon,	Murphy,	Vertress,
Grundy,	Napier,	Vickers,
Hardin,	Noe,	Wallace,
Harrison,	Pope,	Woods—64.
Hayden,		

The said resolution was then twice read and adopted.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, and a resolution, which originated in the Sentate, of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the Campbell Turnpike Road Company, and for other purposes.

An act to establish the town of Gordonsville, in Hopkins county.

An act to incorporate the Licking Steam Boat Navigation Company.

An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.

An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.

An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.

An act to amend the charter of Paducah.

An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

An act concerning Common Schools.

An act to amend the charter of the Lexington and Frankfort Railroad Company.

An act to incorporate the Henry and Trimble Turnpike Road Company.

An act for the benefit of George McFarland Hall.

An act for the benefit of Wilson Evans.

An act for the benefit of Moses Hubbard and wife.

An act to establish the town of Miltonville, in Casey county.

An act to charter the Nicholas Savings Institution, and to amend the charter of the Versailles Savings Institution.

An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross Mill Turnpike Road Company.

An act divorcing Henrietta Dupuy and others.

An act to incorporate the Newtown and Leesburg Turnpike Road Company.

An act to permit the citizens of the town of Louisa to vote for or against granting tavern licenses, and for other purposes.

An act for the benefit of William L. Owens, and others.

An act for the benefit of certain children in School District No. 1, in Graves county.

A resolution providing for a settlement with Peter Dudley, late Treasurer.

And bills which originated in this House, of the following titles, viz:

An act for the benefit of S. G. Rogers.

An act for the benefit of James Penney.

An act for the benefit of J. S. Golladay, of Logan county.

An act for the benefit of Frederick Mayberry.

An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.

An act for the benefit of R. P. Dodds, of Fulton county.

An act to incorporate the Louisville Orphans' Home Society.

An act for the benefit of Isham Jones.

An act for the benefit of A. M. Vanarsdale, of Mercer county.

An act for the benefit of E. S. Steed, of Graves county.

An act to incorporate the Bowlinggreen Thespian Society.

An act to establish an election precinct at Ballardsville, in Oldham county.

An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

An act to amend the militia law.

An act to amend, in part, the charter of the city of Louisville.

An act to amend the charter of the town of Lower Cloverport.

An act to change the name of Martha Trisler, and for other purposes.

An act for the benefit of George T. Anderson, of Logan county.

An act to incorporate the Franklin Fire Company, No. 2, of Covington.

An act to authorize the Johnson County Court to sell a part of the Public Square in the town of Paintsville.

An act for the benefit of Eden Shotwell.

An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

An act for the benefit of the Marshal of Paducah.

An act to authorize the executor or administrator of W. N. Miller to sell a slave.

An act for the benefit of Bethania Bennet.

An act for the benefit of Milly Ann Skaggs and Warren H. Jones.

An act for the benefit of Common Schools.

An act to create the office of Police Judge, in the town of Hartford, and defining his duties and powers.

An act concerning the vacant lands in Whitley county.

An act for the benefit of the town of Hawesville, in Hancock county.

An act to amend the laws in relation to the Trustees of the town of Burlington.

An act to amend an act to incorporate the Merchants' Louisville Insurance Company.

An act to repeal the charter of Augusta College.

An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.

An act to establish election precincts in Clarke, Henderson and Hart counties.

An act to establish election precincts in Calloway and Bullitt.

An act to incorporate the Harrodsburg Springs Company.

An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.

An act for the benefit of William Harman, George W. Riddle and Clement M. Buckman.

An act for the benefit of Lydia Hindman, of Barren county.

An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.

An act for the benefit of Milly Walker, of Fleming county.

An act for the benefit of S. Renfro and others.

An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.

An act to authorize the appointment of a Police Judge in the town of Portland.

An act to authorize the Hart County Court to establish a road.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Ordered, That Messrs. Grundy, Turner, Murphy, and Vertress, be added to the committee on Enrollments.

A message was received from the Senate, announcing their concurrence in the amendment proposed by this House, to a bill from the Senate, entitled, an act supplemental to an act to repeal the charter of Augusta College.

That they had passed bills from this House, of the following titles, viz:

An act to establish the town of Brooklyn, in the county of Campbell.

An act for the benefit of the heirs of Thomas Taylor, deceased.

An act for the benefit of Narcissa Amanda Morgan.

An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to incorporate the Jefferson Insurance Company of Louisville.

An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved 22d December, 1831.

An act to incorporate the German Jefferson Benevolent Society of Louisville.

An act to incorporate the several Masonic Institutions of Louisville.

An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.

An act for the benefit of David Logan and his children.

An act to extend the powers of the Trustees of the town of New Castle.

An act for the benefit of Joseph Vansickles.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on the Judiciary—1. A bill to increase the powers of the Trustees of the town of Versailles.

By the committee on Religion—2. A bill to incorporate the Mill Creek Christian Church in Monroe county.

By same—3. A bill to divorce Daniel Ramsey.

By same—4. A bill to divorce Juliann Robinson.

By same—5. A bill to divorce Nancy C. Blewett, and others.

By same—6. A bill to divorce Gilbert Williams, and for other purposes.

By same—7. A bill to divorce Elizabeth Whitlock, and others.

By same—8. A bill to divorce Mahulda Renfro, and others.

By same—9. A bill to divorce Emerine Sneed, and others.

By same—10. A bill to divorce Jeptha B. Erwin and Sarah Ann Erwin.

By same—11. A bill to divorce Thos. Edmonson and Colton Hobday.

By same—12. A bill to divorce Elizabeth Green.

By same—13. A bill to divorce John McKenzie.

By same—14. A bill to divorce Margaret Frazier and John and Elizabeth Elston.

By same—15. A bill to divorce Anderson Sizemore and Susannah Moore.

By same—16. A bill to divorce Abraham Lighter and Mary Ann Grey.

By same—17. A bill to divorce David Fleming and others.

By the committee on Internal Improvement—18. A bill to incorporate the Nicholasville and Jessamine county Turnpike Road Company.

By the committee on Ways and Means—19. A bill to change the names of Elizabeth Hale, Ellen Hale and Ann Maria Hale.

By same—20. A bill requiring the settlement of the accounts of the Lexington Lunatic Asylum.

By same—21. A bill requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their license.

By the committee on Internal Improvement—22. A bill to incorporate a Company to Turnpike a road from Harrodsburg to Cane Run Meeting House.

By same—23. A bill to change the Richmond State road.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act limiting the jurisdiction of the General Court, in certain cases, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred bills from the Senate of the following titles, viz:

An act to protect the estates of deceased persons.

An act in relation to limited partnerships.

An act authorizing Coroners to convey lands in certain cases.

An act to repeal an act, entitled, an act to amend and reduce into one the several acts concerning strays, approved March 1, 1847.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate in relation to writs of ad quod damnum, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Robertson, from the same committee, to whom was referred a bill from the Senate entitled, an act to incorporate the Covington Gas Light Company, reported the same without amendment.

Ordered, That said bill be laid on the table.

Mr. Blair, from the committee on Religion, to whom was referred a bill from the Senate, entitled, an act to divorce Jane McDonald, of Monroe county, reported the same with an amendment, which was concurred in.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be amended by adding after "McDonald," the words, "and Darling McDonald."

Mr. Blair, from the same committee, to whom was referred a bill from the Senate, entitled, an act to divorce Allie Emberton, of Monroe county, reported the same without amendment.

The said bill was then amended.

Ordered, That said bill, as amended, be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That said bill do pass, and that the title be amended by adding after "Emberton," the words, "and Mary F. Johnson."

Mr. Blair, from the committee on Religion, to whom was referred bills from the Senate of the following titles, viz:

An act to divorce Nathan A. Williams, and others.

An act to divorce Robert Langford.

An for the benefit of William H. Hopkins and Elizabeth Ritchie.

An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.

An act for the benefit of Thomas Crowder.

An act for the benefit of John Cunningham.

An act to divorce Annie E. Fairbairn.

An act to divorce Louisa Jane Lafayette Usrey, of Marshall county.

An act to divorce Nancy Forbes.

An act to divorce Walter Jones and wife.

An act for the benefit of George Riley, and Matilda, his wife.

An act for the benefit of David Pirtle.

An act to divorce Hannah Plank, of Nicholas County.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Blair, from the committee on Religion, reported a bill for the benefit of Louisa Burriss, and others, which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with, and the same being engrossed,

Ordered, That said bill be laid on the table.

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Henry M. Lutes, of Owsley county.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.

An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.

An act to divorce Mary Duck, of Laurel county.

An act to divorce Lucinda Fish.

An act to divorce James and Hannah Price, and Samuel Bileter.

An act granting a change of venue to James May.

An act to allow an additional Justice of the Peace to Hopkins county.

An act for the benefit of Benjamin D. Beall and James Sparks.

An act for the benefit of Vincent Brooks.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.

An act for the benefit of the widow and children of Christopher Fry, deceased.

An act to divorce William Gibson and Sarah Jane Gibson, of Graves county, and S. B. Woolfolk.

An act for the benefit of Ezekiel Aterberry.

An act authorizing the establishment of a State road from Pembroke to Green River.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act to charter sundry Turnpike Road Companies in Madison county.

An act for the benefit of the Clerk of the Caldwell Circuit Court.

An act to divorce Jane Gatliff.

An act for the benefit of those who have imported slaves contrary to the law of 1833.

An act for the benefit of J. F. Thomasson, deceased.

An act to amend the charter incorporating the Kentucky Military Institute.

An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

An act to divorce Susan Breeden and others.

An act for the benefit of William and John Chiles, of Estill Springs.

An act for the benefit of John R. Thornton and Richard Kenningham, Trustees.

An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.

An act for the benefit of John Walker, of Anderson county, and others.

An act supplemental to an act to repeal the charter of Augusta College.

An act to establish a Summer Term of the Franklin Circuit Court, and to change the Fall Term of said Court, and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

Mr. Barbee moved to suspend the rules to enable him to read and lay on the table the following resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Sheriffs and other officers of the next August Election, be requir-

ed to open a poll to take the sense of the people of the State as to the propriety and expediency of removing the seat of Govetnment from Frankfort to some more eligible and convenient point; and that the said officers, in taking and making the returns of the said vote, shall be governed by the same rules and regulations as prescribed for them in an act, entitled, "an act concerning the Common School System, approved February 29th, 1848."

And the question being taken thereon, it was decided in the affirmtive.

The yeas and nays being required thereon by Messrs. Holton and Hughes, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Eversole,	Miller,
Messrs. Anderson,	Garland,	Morris,
Barbee,	Garred,	Napier,
Barlow,	Gordon,	Newell,
Barnes,	Grundy,	Noe,
Bassett,	Hardin,	Pope,
Beaty,	Harris,	Reiley,
Bibb,	Headley,	Rodman,
Bledsoe,	Hite,	Shawhan,
Boarman,	Holladay,	Speed,
Butler,	Huston,	Stevens, J.
Chenault,	Jefferson,	Stuart, J.
Conklin,	Johnson,	Terrill,
Davis, J. W.	Leonard,	Vaughan,
Davis, J.	Logan,	Vertress,
Dohoney,	Lucas,	Vickers,
Dunlap,	Mason,	Whitsett,
Duvall,	McClarty,	Wilson—56.
Eubank,	McConnell,	

Those who voted in the negative, were—

Messrs. Alexander,	Holton,	Rhea,
Best,	Hughes,	Sherwood,
Blair,	Jackson,	Smith,
Collins,	Jones,	Spurr,
Ewing,	Lewis, D. P.	Stevens, S.
Ford,	McFarland,	Stewart, M.
Harreld,	Murphy,	Swan,
Hayden,	Records,	Turner—24.

The said resolution was then read and laid on the table.

A message was received from the Senate, announcing that they had passed a bill, entitled, an act to authorize the holding of an additional term of the Estill Circuit Court in 1849.

The said bill was then taken up, and read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second reading of said bill having been dispensed with,

The said bill was then amended.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Huston, from the committee on Ways and Means, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of William S. Patterson.

An act to repair certain books in the Logan County and Circuit Court Clerk's offices.

An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved January 31, 1814.

An act concerning the granting of tavern licenses in the different cities and towns.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That same do pass, and that the titles thereof be as aforesaid.

Mr. Huston, from the same committee, to whom was referred bills from the Senate, of the following titles, viz:

An act concerning the Treasurer and Auditors, and prescribing further duties to each.

An act for the benefit of Robert J. Terry, of Todd county, and Wm. Hart, of Jefferson county.

An act for the benefit of Thomas L. Garrard.

An act in relation to the city of Covington.

An act to repeal the law allowing retailers of dry goods and groceries to sell whisky, &c.

Reported the same, without amendment.

Ordered, That said bills be laid on the table.

Mr. Huston, from the same committee, to whom was referred a bill prescribing the manner of taking bond of the State Treasurer, reported the same without amendment.

Ordered, That said bill be laid on the table.

Mr. Pope, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to establish a just principle in the rates of toll on turnpike roads.

An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

An act to incorporate the Owenton and Kentucky River Turnpike Road Company.

An act concerning the road from Birch Lick Creek in Madison county, to Brashears' Salt Works in Perry county.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispened with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Pope, from the same committee, to whom was referred a bill from the Senate, entitled, an act in relation to the Madison and Wilderness Turnpike Road, reported the same without amendment.

Ordered, That said bill be read a third time.

A message was received from the Senate, announcing their concurrence in the amendments of this House, to a bill from the Senate, entitled, an act limiting the jurisdiction of the General Court, in certain cases.

That they had concurred in the resolution from this House rescinding the resolution fixing a day for the final adjournment of the General Assembly, and fixing another day.

That they had passed bills from this House, of the following titles, viz:

An act to divorce Elizabeth Whitlock, and others.

An act to divorce Emerine Sneed, and others.

An act to divorce John McKenzie.

An act to incorporate the Nicholasville and Jessamine county Turnpike Road Company.

An act to change the State road leading from Canton to Waidsboro'.

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act for the benefit of the Mechanics of Garrard county.

An act for the benefit of C. M. Matthews.

An act to increase the revenue.

With amendments to the five last named bills.

Mr. Hardin, from the committee on Internal Improvement, to whom was referred bills from the Senate, of the following titles, viz:

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the improvement of Cumberland river, and the roads in Pulaski county.

An act to incorporate the Elizaville and Helena Turnpike Road Company.

An act declaring Blackford Creek, between Daviess and Hancock counties, a navigable stream.

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision and third reading of said bills having been dispensed with,

Resolved, That the same do pass, and that the titles thereof be as aforesaid.

Mr. Robertson, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to repeal all acts prohibiting the circulation in this Commonwealth of Bank notes of less denomination than five dollars, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Blair moved a reconsideration of the vote laying on the table a bill to divorce Louisa Burriss, and others.

And the question being taken thereon, it was decided in the affirmative.

The question being taken on the passage of said bill, it was decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

Mr. Smith, from the committee on the Sinking Fund, to whom was referred a bill from the Senate, entitled, an act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c., reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hughes, from the committee on Banks, to whom was referred a bill from the Senate, entitled, an act to establish the Farmers' Bank of Kentucky, reported the same with amendments.

The said bill reads as follows, viz:

SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*. That there shall be, and is hereby established, a Bank, by the name of the "The Farmers' Bank of Kentucky," with a capital of one million three hundred thousand dollars, to be divided into shares of one hundred dollars each, and to be subscribed and paid for by individuals, companies and corporations, in the manner hereinafter specified; which subscribers and shareholders, their successors and assigns, are hereby cre-

ated a body politic and corporate, by the name and style of "The Farmers' Bank of Kentucky;" and shall so continue a body politic and corporate, until the first day of May, 1880; and by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy and enjoy, and the same to sell, convey, and dispose of, all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to said Bank, as surety for any debt, or purchased in satisfaction of any judgment or decree in favor of the Bank, or in the purchase of any property on which said Bank may have a lien; and said Bank may have, and use, a common seal, change, alter and renew the same at pleasure; and it may ordain and put in execution, such by-laws, rules and regulations, for the good government of said Bank, and the prudent and efficient management of its affairs, as may be thought most proper: *Provided*, That they be not contrary to the constitution and laws of this State or the United States.

Sec. 2. The said Bank shall have and keep its principal office of discount and deposit in the town of Frankfort; and it shall have five offices of discount and deposit in other parts of the State, to-wit: at Covington, Princeton, Henderson, Maysville and Mount Sterling. The business shall be, to loan money, discount promissory notes and bills, and deal in exchange; and it may issue bills and bank notes, payable to bearer, on demand, at any of its offices of discount and deposit, but not of less denomination than one dollar; and it shall not issue any notes, bills, checks or orders, payable to bearer, other than such as are made payable on demand. The promissory notes made payable to any person or persons, and payable and negotiable at the principal office of discount and deposit, or any of the branches, and endorsed to, and discounted by said Bank, shall be, and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally against the drawers and endorsers, and with like effect, except as to damages, and except that, in a regular course of administration, they shall have no other or greater dignity or priority of payment, than other notes: and the said Bank shall not, directly or indirectly, deal or trade in any thing except loaning money and exchange, and in gold or silver bullion, or in the sale of goods, chattles, rights and credits, really and truly pledged for money lent, and not redeemed in time, or goods which shall be the proceeds of its lands.

Sec. 3. The bank notes to be issued by said Bank, shall be signed by the President of the Principal Bank, and countersigned by the Cashier thereof: and said Bank shall be restrained from issuing checks or orders, payable at any of its offices, or elsewhere, to any person or order, or to any person or bearer, with the intent that the said checks or orders shall circulate as bank notes.

Sec. 4. Said Bank shall not, at any time owe, whether by bond, bill, note, or other contract, an amount exceeding twice the amount of the capital stock actually paid in, exclusive of sums due on deposits; and in cases of excess, the President and Directors, under whose administration

it shall have taken place, shall be liable for any or all of the debts of said Bank, in their individual capacities, by a joint or several actions of debt against them, or any of them, their heirs, executors or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said Bank, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: *Provided*, That if the President or any of the Directors may be absent when the excess may be contracted or created, or being present shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall, within ten days from the creation of such excess, or discovery thereof, make affidavit of their absence or dissent, and file the same for record, with the recording officer of the city or county; and shall, moreover, within ten days, give notice thereof in one of the public newspapers printed in this State, and transmit a copy thereof to the Governor of this State, for the time being: and shall, in said notice, call a meeting of the shareholders, which they are hereby authorized to do.

SEC. 5. Said Bank shall not, at any time, suspend, fail, or refuse payment, in gold or silver, of any of its notes, bills, or other obligations, due and payable, or any moneys on deposit: and in such case the officers, in the usual banking house at the office of discount and deposit where the same shall be payable, shall refuse or unreasonably delay payment, in gold or silver, of the amount of any note there demandable, and presented for payment, or the payment of any money previously deposited at such office, and then due and demandable by any person or persons entitled to receive payment of the same, said Bank shall be liable to pay damages at the rate of six per cent. per annum, on the amount thereof, from the time of such failure, refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited; and a *scire facias* may be sued out in the name of the Commonwealth, by the Attorney General, by order of the Governor, for the time being; and such proceedings may be had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted: *Provided*, Said forfeiture shall not be construed to prevent said Bank from suing and being sued, and continuing its operations, for the purpose of closing its concerns, nor from making any contracts that may be convenient and proper for that purpose.

SEC. 6. The real and personal estate, business, property, funds and prudential concerns of said Bank, and the administration of its affairs, shall be under the direction, management and control of seven Directors, chosen as hereinafter directed. They shall be stockholders, and, after the first election, shall have been stockholders at least three months previous to their election: they shall be residents of this State, and citizens of the United States: and, after the first election, they shall be elected annually, on the first Monday in May. Each Director shall be a stockholder in his own right: they shall hold their offices for one year, and until their successors shall be chosen. The Directors shall be chosen by the shareholders, who shall meet at the annual elections in the town of Frankfort, at such time and place as the Directory, for the time being, shall direct: and notice of the time and place of holding the annual elections shall be published in at least two authorized newspapers, thirty

days next preceding the election. The election shall be by plurality of votes, to be counted and read in public, after all the votes are taken: the election shall be conducted under the direction of three shareholders, acting under oath, and previously chosen by the Directory, and not of their own body. No person, who is a Director or officer of another Bank, shall be eligible as a Director of this Bank; and any Director becoming a Director or officer in another Bank, or while under protest in this Bank, for the non-payment of debt, shall be held to have vacated the office of Director of this Bank; nor shall two partners in trade be eligible as Directors in this Bank, at one and the same time; and if the President, Cashier, or any Director, shall fail, or become insolvent after his election or appointment, he shall become incapable to serve as an officer in this Bank, and shall be held to have vacated his office or place; nor shall he be appointed to serve in this Bank until his debts are paid, until he obtains a full discharge from the same. If, from any cause, an election shall not take place on the day fixed by this charter, the corporation, for that cause, shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct.

SEC. 7. At all meetings of the stockholders, and at all elections under this charter, each and every shareholder, whether individuals, companies or corporations, shall be entitled to one vote for each share held in their own right, up to fifty shares; and for every five shares over fifty, up to one hundred, one vote; and for every twenty shares over one hundred, one vote. After the first election, no share shall entitle the holder to a vote, unless the same has been held by the person claiming to vote on the same, at least three months prior to that time, and so appear on the books of the Bank. Any stockholder, entitled to vote, may do so in person or by proxy, such proxy being granted to a stockholder who is not the President or a Director, the Clerk, Cashier or Teller of the Bank; and any stockholder, who is not a citizen of the United States, shall not be entitled to vote on his stock.

SEC. 8. The Directors chosen for the Principal Bank, under the provisions of this charter, shall, as soon as may be, after the first, and every annual election or other election of Directors, elect a President from their own body, who shall preside at the board until the next election; and in case of the death, absence, or resignation, or vacation of the office of President, the residue of the Directors shall choose a President *pro tempore;* they shall fill all vacancies which may occur in their own body, during the time for which they were chosen, and appoint a Cashier, Clerks, agents or servants, of the Principal Bank, fix their compensation, define their powers, and prescribe their duties: and shall require of them such bonds, and in such penalties, as they may deem right; which bonds shall be laid monthly before the Directory, and entry made thereof on record; and the Dircctory may, from time to time, require such additional bonds and sureties, with such penalties and conditions, as, in their opinion, will secure the Bank from loss or damage; and all such officers shall hold their places during the pleasure of the President and Directors.

SEC. 9. The President and Directors of the Principal Bank, (any four of whom shall form a quorum for the transaction of business,) may, from time to time, make such by-laws, rules and regulations, for their own government, and for the management and disposition of the property,

estate, funds, and business of the Bank, and all matters appertaining thereto, which they may deem expedient, not contrary to the provisions of this charter, or the by-laws, rules and regulations which the stockholders, at their annual or other meetings, may, from time to time prescribe: *Provided, however*, That a concurrence of a majority of all the Directors shall be necessary in the adoption of any of the by-laws of the institution.

SEC. 10. The President and Directors shall hold stated meetings at least once a week, on such days, and at such hour of the day, as they may, from time to time, appoint, and at such other times as they may agree on; and they shall attend called meetings at any time the President shall direct; and all questions before the board shall be decided *viva voce;* and, on the request of any two members, the yeas and nays on any proposition submitted, shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given.

SEC. 11. The President and Directors of the Principal Bank shall establish five Branches, to-wit: one at Covington, in the county of Kenton; one at Maysville, in the county of Mason; one at Princeton, in the county of Caldwell; one at Henderson, in the county of Henderson; and one at Mountsterling, in the county of Montgomery. The amount of capital which shall be employed at the Principal Bank, shall be three hundred thousand dollars; at Covington, three hundred thousand dollars; at Maysville, two hundred thousand dollars; at Princeton, two hundred thousand dollars; at Henderson, one hundred and fifty thousand dollars; and at Mountsterling, one hundred and fifty thousand dollars: *Provided*, That when the Bank goes into operation, if with less than the whole stock taken, or whole amount paid in, the capital stock at any one of the points where such Principal Bank or Branch may be located, shall be applied to said Bank or Branch at such point: *And, provided further*, That stock taken at other points than Frankfort, Covington, Maysville, Princeton, Henderson, and Mt. Sterling, shall be rateably divided amongst them.

SEC. 12. There shall be five Directors for each of the Branches, to be chosen at the same time and manner of the Directors of the Principal Bank, and to possess the same qualifications, one of whom shall be appointed President by the Directors of the Principal Bank. The Directors of the Principal Bank shall prescribe such rules and regulations for the government of the Branches, as they may deem right, and shall have power to enforce the same. The President and Directors of the Principal Bank shall have power to fill any vacancy in the Directory of the Branches.

SEC. 13. The Directors of the Principal Bank shall appoint a Cashier of the Principal Bank, and a Cashier for each of the Branches. The President and Directors of each of the Branches shall appoint a Clerk and such other officers as the President and Directors of the Principal Bank shall direct. Not less than a majority of the Directors of the Branches, including the President, shall form a quorum for the transaction of business.

SEC. 14. No dividend of the profits of said Bank shall be declared until there shall be a surplus of ten thousand dollars; and the surplus, or

contingent fund, so raised, shall never be reduced below that sum; and it shall be the duty of the President and Directors of the Principal Bank, on the first Monday in January and July, of each year, to declare a dividend of the profits over and above the contingent fund aforesaid, among the stockholders, payable to them on demand; of which dividend, and the time and place of payment, notice shall be given. And if, at any time, said President and Directors shall declare a dividend lessening the capital stock, or lessening the contingent fund aforesaid, or by any mismanagement or neglect of duty shall cause any loss or deficency of, or in the capital stock of said Bank, the Directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly and severally liable to the stockholders, or any creditor of said Bank, who may be injured thereby; and the President and each Director shall be deemed guilty of such mismanagement or neglect, or to have consented to such dividend, unless he forthwith give notice of his dissent thereto, or his absence from the institution, in like manner as provided in the fourth section of this charter, and call a meeting of the stockholders as herein provided.

SEC. 15. It shall be the duty of the Cashier of the Principal Bank, on the first day of July, 1850, and on the first day of July, in each succeeding year, during the continuance of this charter, to pay to the Treasury of this Commonwealth, fifty cents on each one hundred dollars of stock held and paid for in said Bank, which shall be in full of all tax or bonus: *Provided*, That no tax shall be paid, until said Bank goes into operation: *Provided, further*, That the tax or bonus hereby proposed to be imposed on each share of the stock in this Bank, or such as shall hereafter be imposed on each share, is hereby set apart and *forever* dedicated to the cause of Education, on the Common School System, and whenever the same, or any part thereof, shall be diverted otherwise, by legislative enactment, said Bank shall then be exonerated from the payment of any tax or bonus.

SEC. 16. The Board of Directors of the Principal Bank shall allow to the President thereof, and to the Presidents of the Branches, such reasonable compensation for their services as they may, from time to time, deem just: but no compensation shall be allowed to any Director of the Principal Bank, or any of the Branches, unless the same be voted by the stockholders at some regular meeting.

SEC. 17. It shall be the duty of the President and Directors of the Principal Bank, and they are hereby required, as often as once in every month, to cause a strict examination to be made of the accounts of the Cashier, and a full and complete statement to be made and entered on the journal of the proceedings of the Board; and they shall cause the President and Directors of the several Branches to make a like monthly examination and statement of the accounts of the Cashiers, to be made on the journals of their proceedings.

SEC. 18. That it shall not be lawful for the Cashier, Clerk, Teller, or other subordinate officer of the Principal Bank, or any of the Branches, either directly or indirectly, to engage in, or carry on, any other business than that of said Bank, without the special license of the President and Directors of the Principal Bank; nor shall any of them, either directly or indirectly, become indebted to said Bank, either as borrower, endorser, surety, or otherwise.

SEC. 19. If the Cashier, Clerk, Teller, Agent, or other officer of the Principal Bank, or any of the Branches, shall, without the authority of the President and Directors of the Bank or Branch, as the case may be, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall wilfully fail to make correct entries, or shall knowingly make false entries on the books of the Bank, with intent to cheat or defraud the corporation or any person, to hide or conceal any improper appropriation of the funds of the corporation, the officer, so offending, shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of this State for a period of not less than five nor more than twenty years.

SEC. 20. The President and Directors of the Principal Bank shall keep a record or journal of all their proceedings, which they shall produce to the stockholders, when by them demanded, at any regular meeting; and they shall be open to inspection to any committee appointed by the Legislature; and the President and Directors of the Principal Bank shall cause the President and Directors of the Branches to keep a record or journal of all their proceedings, which they shall produce to the President and Directors of the Principal Bank at all times, or to any person or persons authorized by them to inspect the same; and which shall be open to the inspection of the stockholders at any general meeting, or to a committee appointed by the Legislature.

SEC. 21. It shall be the duty of the President and Directors of the Principal Bank, during the first week of the session of the Legislature, in each year, to transmit to the Secretary of State, an accurate and just statement of the condition of the Principal Bank and Branches, as it existed on the first day of the preceding month; which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, and the value of the real estate belonging to the Bank, and its cost, the total amount of the debts due to and from the Bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated Banks, and the amount of notes in circulation of each denomination issued by the Bank, the rate and amount of each dividend of profits made by the Bank, with the amount of the surplus profits or the contingent fund; which statement the Governor of the Commonwealth shall cause to be laid before the Legislature of Kentucky; and they shall, when required by the Legislature, report all bad and doubtful debts.

SEC. 22. The President, Cashiers, Directors, Clerks, Tellers, and other officers of the Principal Bank and Branches, previous to entering on the discharge of their duties, shall take an oath before some Justice of the Peace of this State, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the by-laws, rules and regulations of the corporation.

SEC. 23. Said Bank shall not contract for, or receive, a greater rate of interest than at the rate of six per cent. per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said Bank; and their discount shall be calculated on the true time such notes have to run, including three days of grace, and shall be

paid in advance, and on banking principles, in conformity with Rowlett's Tables of Discount and Interest.

Sec. 24. That the President and Directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for; and the shares of the capital stock of said Bank shall be considered and held, in law, as personal property, and assignable and transferrable only in such maner, and at such place or places as the President and Directors of the Principal Bank shall, by their by-laws, prescribe.

Sec. 25. The certificates of deposit, bank bills, or notes, bills of exchange, post notes, or orders issued by said Bank, and signed by the President, and countersigned by the Cashier, promising or requesting the payment of money to any person or persons, and to order, or bearer, as the case may be, shall be obligatory on said Bank, although not under its seal; and such of said notes, or bills, as shall be payable to order, shall be transferrable, by assignment, and those made payable to bearer, by delivery.

Sec. 26. That the general meeting of the stockholders shall be held annually on the first Monday in May, in each year, in the town of Frankfort, at the time of the annual elections: to which meeting the President and Directors of the Principal Bank shall present an accurate statement of the condition and affairs of the Bank; and general meetings of the stockholders may be called, as provided in the charter, or by the President and Directors of the Principal Bank, when they esteem it desirable, or by any number of stockholders the by-laws of the corporation shall require.

Sec. 27. The Legislature shall have the right to investigate the situation and affairs of said Bank, by any committee they may appoint for that purpose, from time to time.

Sec. 28. The General Court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceedings shall be by *scire facias*, alleging and specifying the acts of forfeiture relied on; and shall only be sued out at the instance of the Attorney General, when directed to do so by order of the Legislature.

Sec. 29. That James Harlan, John H. Hanna, Jacob Swigert, Robert P. Letcher, William Tanner, John W. Russell, Philip Swigert, Lazarus Lindsey, A. C. Keenon, A. G. Hodges, John C. Herndon, Harry I. Todd, and S. Robinson, at Frankfort; and John S. Morgan, John W. Stevenson, Septimus T. Wall, B. W. Foley, A. L. Greer, John S. Perry, Charles A. Withers, John K. McNickle, and John A. Goodson, at Covington; and John P. Dobyns, Thomas Mannen, Richard H. Stanton, Richard Collins, John B. McIlvaine, and Robert T. Blanchard, at Maysville; F. W. Urey, T. J. Flournoy, W. Wadlington, R. L. Cobb, Daniel Hilman, John Kelley, Charles Stacker, Livingston Lindsey, and George W. Barbour, at Princeton; George Atkinson, David Banks, Archibald Dixon, Owen Glass, Thomas Towles, Sr., L. W. Powell, E. H. Hopkins, and Wyatt H. Ingram, at Henderson; and Richard Apperson, Thomas C. Barnes, Samuel D. Everett, Thomas Johnson, Robert M. Hathaway, and Belvard J. Peters, at Mountsterling, shall be and they are hereby constituted and appointed Commissioners to open books and receive subscriptions for the capital stock of said Bank, at their respective places; and the Commissioners at Frankfort, or any three of them, shall superintend the election of the first Board of Directors.

SEC. 30. The said Commissioners shall have power, and they are authorized and required, at such time as they may deem expedient, after giving at least thirty days' notice thereof, in some of the newspapers printed in this State, to open books for the subscription of capital stock of said bank, at Frankfort, Covington, Maysville, Princeton, Henderson and Mountsterling, and such other places as the Commissioners at Frankfort may deem advisable, and cause said books to be kept open until at least four thousand shares shall have been subscribed, when the same may be closed, or the Commissioners at Frankfort may order them closed sooner, if deemed advisable, and re-opened whenever they may think fit; and if more than thirteen thousand shares should be subscribed by individuals, companies and corporations, the Commissioners shall deduct the excess from the largest subscriptions, in such manner that no subscription shall be reduced, and leave any other subscription larger. The Commissioners at Frankfort may appoint Commissioners in any city in the United States to receive subscriptions of stock.

SEC. 31. If the whole thirteen thousand shares of capital stock shall not be taken when the books of subscription shall first be opened by the Commissioners, the President and Directors may cause the books to be opened, from time to time, and at such times as they may direct, and cause them to be kept open, if they choose, until the whole balance shall be taken: and the President and Directors may require such premium on the stock sold at the re-opening of books, as they shall deem right; and such premium shall be the property of the Bank.

SEC. 32. When not less than four thousand shares of the capital stock shall have been taken, and the Commisssioners shall have closed the books, it shall be their duty to give notice, in some public newspapers printed in this State, and appoint a day and place, in the town of Frankfort, for the election of the first Board of Directors for said Bank, who shall hold their office until the next succeeding annual election: and not less than thirty nor more than sixty days' notice shall be given of the time and place of electing the said Board of Directors; and some three of the Commissioners shall act as inspectors of the election, and shall take the proper oaths, and perform all the duties of inspectors of elections in like cases.

SEC. 33. The payment of the shares of the capital stock held by individuals, companies, and corporations, shall be in gold and silver, and at the times, and in the manner following, to-wit: five dollars on each share, to the Commissioners, at the time of subscribing, and five dollars on each share within ten days after the election of the first Board of Directors, and twenty dollars on each share within sixty days thereafter; and the residue shall be paid in such instalments as the President and Directors of the Principal Bank shall require: *Provided*, That no more than twenty dollars shall be called at any one time on each share, nor shall the time between the calls be less than ninety days.

SEC. 34. Should any of the subscribers to the capital stock of said Bank fail or refuse to pay for their stock, as herein provided, the President and Directors, first giving public notice in at lest two public authorized newspapers printed ln this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial pay-

ments made on any stock which shall be forfeited, shall be held for the benefit of the Bank.

SEC. 35. So soon as one hundred and thirty thousand dollars of capital stock shall have been paid in by individuals, corporations, and companies, in gold or silver, the President and Directors shall cause the Governor of this Commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the President, and not less than six of the Directors, that the same has been paid in as stock, *bona fide*, and make due return thereof to him; and on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the funds required, has been done, and the said Bank is authorized to commence operations as a banking institution; and from and after the first proclamation, it shall be lawful for said Bank to commence business.

SEC. 36. If any stockholder or stockholders in said Bank, who shall not be a citizen or citizens of the United States, shall vote or authorize any person to vote at the election of Directors for said Bank, upon the stock held by such person or persons, not a citizen or citizens of the United States, or which may be held by others for his or their use and benefit, that such stock so held, and may have been voted upon, or authorized to be voted upon at any of the elections for Directors of said Bank, shall be forfeited by such stockholder or stockholders, to and for the use of said Bank.

SEC. 37. The bills or notes of said corporation, originally made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold or silver, on demand, unless otherwise directed by law.

SEC. 38. No person shall be eligible to the office of Director in the Principal Bank, or any Branch, who is not the owner of stock in his own right at the time of his election or appointment.

SEC. 39. It shall not be lawful for the President or any of the Directors of the Principal Bank, or Branches, to become bound as security of accommodation endorser, on any note or bill discounted in said Bank, and a violation of any of the provisions of this section, shall subject the person, violating the same, to a penalty of five thousand dollars, to be recovered by action of debt in the name of the corporation, and for their use and benefit.

SEC. 40. Said Bank shall not make any loan of money, or discount any note or bill, on the pledge of the stock of said Bank whatever: and no stockholder shall be allowed to pay any debt he may owe the Bank, by the surrender of the stock of the Bank, until all the notes of the Bank shall have been redeemed, and all the debts of the Bank paid; and stockholders who shall become indebted to the Bank, shall be compelled to pay their debts, in all respects, as other persons dealing with the Bank; nor shall any stockholder be allowed to make payment of the shares of stock held by him, by means of a loan or loans obtained from said Bank.

SEC. 41. The President and Directors of the Principal Bank shall cause their Cashier to make quarterly reports, on the first day of January, April, July, and October, in alphabetical order, of all the debts due said

Bank, setting out the amount due by each individual, with the names of the endorsers or securities, and a note of the other securities, the date of the notes or bills, and when payable: and they shall cause the Cashiers of the Branches to make a like complete memorandum, in alphabetical order, of all the debts due at the several branches, by each individual, with the names of the endorsers or other security, and the date of the notes and bills, and when payable; one copy of which shall be retained at the Branch, another copy shall be transmitted to the Principal Bank; and these memorandums shall, at all times, be open to the examination of the President and Directors of the Principal Bank and Branches.

SEC. 42. The President and Directors of the Principal Bank shall have power and authority to purchase and to transfer, any scrip or bonds which may be issued by the State: *Provided*, Not more than one half the capital of said Bank paid in, be held in such scrip or bonds at the same time.

SEC. 43. Notes to be issued by said Bank, of a denomination less than five dollars, may be signed by the President or Cashier of said Bank, without being countersigned by any other officer.

SEC. 44. The President and Directors of the Principal Bank may, under the direction of such agent or agents, as they may think proper to appoint, keep open books for the transfer of the stock of said Bank, at such places, and under such rules and regulations, as they may deem proper.

The amendments proposed by the committee are as follows, viz:

SEC. 1. Strike out "*three*," and insert "*five*."

SEC. 2. Strike out "*five*," and insert "*six*."

SEC. 2. After word "*Mountsterling*," insert "*and Bardstown*."

SEC. 11. Strike out "*five*," and insert "*six*."

SEC. 11. After the word "*Montgomery*," insert "*and one at Bardstown, in the county of Nelson*."

SEC. 11. After "*one thundred and fifty thousand dollars*," insert "*and at Bardstown, two hundred thousand dollars*."

SEC. 11. After word "*Mountsterling*," insert "*and Bardstown*."

SEC. 29. After word "*Mountsterling*," insert "*and Edward B. Smith, J. Wood Wilson, George W. Hite, Samuel B. Thomas, James G. Phillips, and William S. Davidson, at Bardstown*."

SEC. 30. After word "*Mountsterling*," insert "*and Bardstown*."

SEC. 30. Strike out "*thirteen*," and insert "*fifteen*."

SEC. 31. Strike out "*thirteen*," and insert "*fifteen*."

Mr. Harris moved to lay said bill and amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Hughes, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Dodds,	Noe,
Barbee,	Dohoney,	Rhea,
Barlow,	Duvall,	Shawhan,
Beaty,	Ewing,	Speed,

Bibb,	Harris,	Stevens, S.
Bledsoe,	Headley,	Thomas,
Collins,	Leonard,	Turner,
Conklin,	Mason,	Vaughan,
Daviess, W.	McConnell,	Whitsett,
Davis, J. W.	Napier,	Woods—32.
Davis, J.	Newell,	

Those who voted in the negative, were—

Mr. Speaker,	Hayden,	Murphy,
Messrs. Alexander,	Hite,	Pope,
Barnes,	Holladay,	Records,
Best,	Holton,	Reiley,
Bickley,	Hughes,	Robertson,
Blair,	Huston,	Rodman,
Boarman,	Jackson,	Sherwood,
Chenault,	Jefferson,	Smith,
Eubank,	Johnson,	Spurr,
Eversole,	Jones,	Stewart, M.
Ford,	Lewis, D. P.	Stuart, J.
Garland,	Lucas,	Swan,
Garred,	Magruder,	Terrill,
Grundy,	McFarland,	Towles,
Hardin,	Miller,	Vertress,
Harreld,	Morris,	Word—49.
Harrison,		

Mr. Mason moved to print 150 copies of said bill and amendments.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lucas and Shawhan, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Duvall,	Newell,
Barbee,	Gordon,	Reiley,
Barlow,	Harris,	Shawhan,
Beaty,	Hayden,	Sherwood,
Chenault,	Leonard,	Speed,
Collins,	Lucas,	Stuart, J.
Daviess, W.	Mason,	Terrill,
Davis, J. W.	McConnell,	Thomas,
Davis, J.	Napier,	Woods—28.
Dodds,		

Those who voted in the negative, were—

Mr. Speaker,	Harreld,	Pope,
Messrs. Alexander,	Harrison,	Records,
Barnes,	Headley,	Reynolds,
Best,	Hite,	Rhea,
Bibb,	Holladay,	Robertson,
Bickley,	Holton,	Rodman,
Blair,	Hughes,	Smith,

Bledsoe,	Huston,	Spurr,
Boarman,	Jackson,	Stevens, J.
Conklin,	Jefferson,	Stevens, S.
Dohoney,	Johnson,	Stewart, M.
Eubank,	Jones,	Swan,
Eversole,	Lewis, D. P.	Towles,
Ewing,	Magruder,	Turner,
Ford,	McFarland,	Vaughan,
Garland,	Miller,	Vertress,
Garred,	Morris,	Wallace,
Grundy,	Murphy,	Whitsett,
Hardin,	Noe,	Word—57.

Messrs. J. Stuart and Conklin requested that their names be stricken from the report made by Mr. J. W. Davis, from the select committee appointed to enquire in the defalcation of the late Treasurer, &c., as they had made and signed a supplemental report, drawn by themselves; which was granted.

And then the House adjourned.

TUESDAY, FEBRUARY 27, 1849.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to a bill from the Senate, entitled, an act authorising the holding of an additional term of the Estill Circuit Court, in 1849.

That they had passed bills from this House, of the following titles, viz:

An act to increase the powers of the Trustees of the town of Versailles.

An act to divorce Juliann Robinson.

An act to divorce Nancy C. Blewitt, and others.

An act to divorce Gilbert Williams, and for other purposes.

An act to divorce Muhulda Renfro, and others.

An act to divorce Thomas Edmonson and Cotton Hobday.

An act to divorce Elizabeth Green.

An act to divorce Anderson Sizemore and Susannah Norris.

An act to divorce David Fleming, and others.

An act to divorce Margaret Frazier, and John and Elizabeth Elston.

An act to divorce Daniel Ramsey.

An act to divorce Jeptha B. Erwin and Sarah Ann Erwin.

An act to divorce Abraham Lighter, and Mary Ann Gray.

With amendments to the two last named bills.

That they had passed bills of the following titles, viz:

An act for the benefit of the Maysville and Mountsterling Turnpike Road Company.

An act for the benefit of Armistead Miller.

And had received official information from the Governor, that he had approved and signed an enrolled bill, which originated in the Senate, entitled, an act to amend the charter of the Lexington and Frankfort Rail-road Company. Approved February 26th, 1849.

Mr. Rhea, from the committee on Claims, to whom was referred a a bill from the Senate, entitled, an act for the benefit of Rufus Lane, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the committee on Military Affairs—A bill for the benefit of the Athenian Light Infantry Company.

By the committee on Propositions and Grievances—A bill to prevent unlawful fishing in parts of Fox and Triplett creeks, in Fleming county, and for other purposes.

By Mr. Boarman—A bill for the benefit of Uriah Coppage.

Which were read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Mason,

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing their disagreement to a bill from the Senate, entitled, an act for the benefit of John Morris and Job Allen, of Clay county, and others.

And the question being taken thereon, it was decided in the affirmtive.

The yeas and nays being required thereon by Messrs. Rhea and Speed, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Grundy,	Napier,
Messrs. Anderson,	Hardin,	Newell,

Barlow,	Harris,	Pope,
Barnes,	Hayden,	Records,
Bassett,	Headley,	Reiley,
Beaty,	Holladay,	Robertson,
Bledsoe,	Huston,	Rodman,
Chenault,	Jackson,	Shawhan,
Daviess, W.	Jones,	Smith,
Davis, J. W.	Leonard,	Stevens, S.
Dunlap,	Magruder,	Stewart, M.
Duvall,	Mason,	Swan,
Eversole,	McClarty,	Terrill,
Ewing,	McConnell,	Turner,
Garland,	Morris,	Woods,
Garred,	Murphy,	Word—48.

Those who voted in the negative, were—

Messrs. Alexander,	Dohoney,	Noe,
Barbee,	Eubank,	Reynolds,
Best,	Ford,	Rhea,
Bibb,	Gordon,	Sherwood,
Bickley,	Harreld,	Speed,
Boarman,	Harrison,	Spurr,
Butler,	Hite,	Stevens, J.
Cargill,	Jefferson,	Vaughan,
Collins,	Lewis, D. P.	Vertress,
Conklin,	McFarland,	Vickers,
Davis, J.	Miller,	Whitsett—34.
Dodds,		

After a short time the messenger returned with said bill.

The question was then taken on reconsidering the vote disagreeing to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Speed and Whitsett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Noe,
Messrs. Anderson,	Headley,	Pope,
Barbee,	Holladay,	Records,
Barnes,	Holton,	Reiley,
Basset,	Hughes,	Reynolds,
Beaty,	Huston,	Robertson,
Blair,	Jackson,	Rodman,
Chenault,	Jefferson,	Shawhan,
Collins,	Jones,	Smith,
Daviess, W.	Leonard,	Stevens, J.
Davis, J. W.	Logan,	Stevens, S.
Dunlap,	Magruder,	Stewart, M.
Eversole,	Mason,	Swan,
Ewing,	McClarty,	Terrill,
Garland,	McConnell,	Towles,
Garred,	Morris,	Turner,

Grundy,	Murphy,	Wallace,
Hardin,	Napier,	Woods,
Harris,	Newell,	Word—57.

Those who voted in the negative, were—

Messrs. Alexander,	Davis, J.	McLarning,
Barlow,	Dodds,	Miller,
Best,	Dohoney,	Rhea,
Bibb,	Eubank,	Sherwood,
Bickley,	Ford,	Speed,
Bledsoe,	Gordon,	Spurr,
Boarman,	Harrison,	Vaughan,
Butler,	Hite,	Vickers,
Cargill,	Lewis, D. P.	Whitsett—29.
Conklin,	McFarland,	

The vote dispensing with the third reading, and the vote ordering said bill to be read a third time was then reconsidered.

Mr. Mason moved to amend said bill by striking out the second section.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Sherwood and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Anderson,	Garred,	Morris,
Barlow,	Grundy,	Murphy,
Barnes,	Harris,	Napier,
Bassett,	Holladay,	Records,
Beaty,	Holton,	Reynolds,
Cargill,	Hughes,	Robertson,
Chenault,	Huston,	Rodman,
Conklin,	Jackson,	Spurr,
Davis, J. W.	Johnson,	Stevens, S.
Dunlap,	Leonard,	Stewart, M.
Duvall,	Magruder,	Terrill,
Eversole,	Mason,	Woods,
Ewing,	McClarty,	Word—41.
Garland,	Miller,	

Those who voted in the negative, were—

Mr. Speaker,	Ford,	Reiley,
Messrs. Alexander,	Gordon,	Rhea,
Barbee,	Harreld,	Shawhan,
Best,	Hayden,	Sherwood,
Bibb,	Headley,	Smith,
Bickley,	Hite,	Speed,
Blair,	Jefferson,	Stevens, J.
Boarman,	Jones,	Swan,
Butler,	Lewis, D. P.	Towles,
Daviess, W.	McConnell,	Vaughan,

Davis, J.	McFarland,	Vertress,
Dodds,	Newell,	Vickers,
Dohoney,	Noe,	Wallace,
Eubank,	Pope,	Whitsett—42.

Ordered, That said bill be read a third time.

Mr. Noe, from the committee appointed to visit the Lunatic Asylum, made the following report, viz:

The joint committee of the Senate and House of Representatives, appointed to visit Transylvania University and the Lunatic Asylum, and examine the condition of those Institutions, having performed that duty, submit the following report:

The State having no ownership in the grounds or buildings of the University, the committee do not deem it their duty to make any report as to either. The committee are uninformed of any patronage, except the empty and useless patronage of visitation, which this Institution receives from the State. The condition of the buildings and grounds, is the business of the corporators only. The committee can only regret the apparent necessity of immediate repairs upon both. The committee report such facts as were politely furnished by Professor Dodd, the President being absent.

To the Hon. J. SPEED SMITH, *and others*,
Committee of Visitation from the Legislature of Ky., to Trans. University.

GENTLEMEN: Pursuant to your request, I have the honor to submit the accompanying statement of the sources and amount of income to Morrison College of Transylvania University, with the amount of annual expense to the same Institution, for salaries, fuel, &c.

This report, you will observe, shows a deficit in the means of the Institution, for the year 1847–8, of $1,248; which deficit, I may remark, affects the salaries only of the Professors of Mathematics and Ancient Languages, and of the two teachers in the Preparatory Departments, with that of the Professor of Natural Sciences, who serves the Institution each alternate session. Among these officers the annual deficiency, whatever it may be, is shared in the ratio of their nominal salaries—$1,200, $900, $800, $500.

The number of students in the several departments of the school, the current session, may be stated as follows:

In College,	60
In Senior Section Preparatory Department,	34
In Junior Section Preparatory Department,	60
	154

For the several preceding years of the connexion between Transylvania University and the M. E. Church, the number of students in College was much larger than at present—averaging upwards of 100. The causes of such diminution, I did not understand to come within the sphere of your inquiries; nor would it, probably, be appropriate to any member of the Faculty to undertake to give *his theory* on such a question.

The estimated cost of covering the College building, with shingles, is $675; of enclosing the lawn with a suitable fence, $481.

I regret, gentlemen, that circumstances beyond my control, have delayed this communication. Your ob't. serv't.,

JAMES B. DODD,
Prof. of Mathematics, &c.

Lexington, 19th Jan., 1849.

The income of Morrison College, Transylvania University, has been derived from the "Lexington City Bonds," the "Morrison Fund," the "Railroad Bonds" to the State, individual notes and bonds, and tuition fees.

The Lexington City bonds yield an annual interest of two thousand two hundred and eight dollars, ($2,208 00.)

The Morrison Fund establishes the Morrison Professorship, paying an annual interest of fourteen hundred dollars, ($1,400 00.) Deducting fifty dollars cost of insurance on the real estate of this fund, and the nett income is thirteen hundred and fifty dollars, (1,350 00.)

The Railroad bonds, the interest on which ($120) has been heretofore regularly paid in November, have been taken up in full by the road. We have no income from this source for the year 1848.

The individual notes and bonds are of *two classes*. First, *ordinary notes*, given to found scholarships, and credited *now* with various payments which have been re-invested in *bonds;* and secondly, *annuity notes*, given to endow the English Literature Professorship. The income from the first class mentioned, is about *two hundred and sixty dollars*; that of the second class, *two hundred and seventy dollars*. The whole income, therefore, from both of these classes of notes and bonds, is *five hundred and thirty dollars*, ($530 00.)

The tuition fee is $40 00 per annum, in the College proper. From October 1, 1847, to October 1, 1848, tuition fees amounted to twelve hundred and sixty-six dollars, ($1,266 00.) Of this amount, *one hundred and fifty dollars* was paid in the Preparatory Department, where the price of tuition is $15 00 for the Senior Section, and $10 00 for the Junior.

The number of students in the College proper, during the last collegiate year, was 100; and in the Preparatory Departments, 98. Of these, fifty one in the College, and forty in the preparatory schools, entered on bought scholarships; but twenty eight in the College, and fifteen in the Preparatory Departments, paid their tuition fees in cash to the Treasurer.

The number of students, therefore, furnishes no criterion for estimating the income from tuition fees. There are some who use their own scholarships, and have thus paid years in advance. There are others who are the beneficiaries of an exalted charity, which educates the needy without tax to the Institution. But the *ninety* above mentioned, are of neither class. They bought their right to tuition from the holders of scholarships, whom they found *underselling* the College. Had they paid their tuition fees in cash to the Treasurer, our income would have been $4,906 00, instead of $1,266 00, as reported.

RECAPITULATION.

Income for the year—from Oct. 1, 1847, to Oct. 1, 1848.	Capital.	Int. on income
Lexington City bonds,	–	$ 2,208
Morrison Fund,	$ 20,000	1,350
Railroad bonds, to the State,	2,000	
Individual notes and bonds,	8,800	528
Tuition fees,	–	1,266
Total annual income,	–	$ 5,352

The expenses of the Institution call for $6,600, annually—$5,800 for salaries, and $800 to meet the current expenses of the College.

In visiting the Lunatic Asylum, the duty assigned your committee was unquestionable, direct and interesting. Melancholy as was the task, it was attended with many pleasing occurrences. They saw, in the extent and solidity of the edifice and its various departments, that the purpose of the benificent endowments of the State, had been carried out with admirable judgment. So far as the appropriations for additional buildings have enabled the Commissioners to proceed, your committee take pleasure in giving their full and cordial approval. They regret that the funds furnished were not sufficient to complete the entire plan of improvement, and recommend an appropriation of $5,000 to that end. When the buildings shall be completed, and the plan carried out, the Lunatic Asylum, if managed and superintended as it now is, will stand the proudest monument of the just, benificent, and wise legislation of the State. The medical gentlemen on the joint committee, and there were three, concur in the opinion that under existing circumstances—and those circumstances must continue without the appropriation recommended is made—means more conducive to the comfort, or better calculated to lead to the restoration of the inmates to their reason, cannot be expected. In short, referring the General Assembly to the reports of the Managers and Superintendent, for facts in detail, with which it is unnecessary to incumber this report or the Legislative Journals, every thing they saw or heard, connected with the Institution, excited their admiration, and challenged and received their full and honest approval.

J. SPEED SMITH, *Ch'm. Senate Com.*
A. T. NOE, *Ch'm. H. R. Com.*

A message was received from the Senate, announcing their concurrence in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act to divorce Jane McDonald, of Monroe county.

An act to divorce Allie Emberton, of Monroe county.

That they had concurred in the first and disagreed to the second amendment proposed by this House, to a bill from the Senate, entitled, an act to amend the law in relation to writs of *ad quod damnum.*

That they had passed bills from this House, of the following titles, viz:

An act to to incorporate the Mill Creek Christian Church, in Monroe county.

An act to divorce Louisa Burriss, and others.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their license.

An act to incorporate a Company to turnpike a road from Harrodsburg to Cane Run Meeting House.

An act to change the Richmond State road.

An act for the benefit of the Athenian Light Infantry Company.

A bill from the Senate, entitled, an act for the benefit of Robert Williams, was read the first time and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

The question was then taken on the passage of said bill, and was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barlow and Whitsett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Garred,	Records,
Messrs. Barnes,	Hardin,	Reiley,
Bassett,	Harris,	Reynolds,
Best,	Hite,	Robertson,
Bickley,	Holladay,	Rodman,
Blair,	Jefferson,	Shawhan,
Butler,	Johnson,	Sherwood,
Cargill,	Lucas,	Smith,
Conklin,	Mason,	Speed,
Daviess, W.	McClarty,	Stewart, M.
Davis, J. W.	McConnell,	Swan,
Dodds,	Miller,	Thomas,
Dohoney,	Morris,	Towles,
Duvall,	Newell,	Word—44.
Garland,	Pope,	

Those who voted in the negative, were—

Messrs. Alexander,	Harreld,	Napier,
Anderson,	Hayden,	Noe,
Barbee,	Headley,	Rhea,
Barlow,	Holton,	Spurr,
Beaty,	Hughes,	Stevens, J.
Bibb,	Huston,	Stevens, S.
Bledsoe,	Jackson,	Stuart, J.
Boarman,	Jones,	Terrill,

Chenault,	Leonard,	Turner,
Collins,	Lewis, D. P.	Vaughan,
Davis, J.	Logan,	Vertress,
Dunlap,	Magruder,	Vickers,
Eubank,	McFarland,	Whitsett,
Eversole,	Murphy,	Woods—43.
Ford,		

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Sentate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of William S. Patterson.

An act for the benefit of David Pirtle.

An act concerning the road leading from Birch Lick creek, in Madison county, to Brashears' Salt Works, in Perry county.

An act to repeal all acts prohibiting the circulation, in this Commonwealth, of Bank notes of less denomination than five dollars.

An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.

An act authorizing Coroners to convey lands in certain cases.

An act to divorce Jane McDonald and Darling McDonald, of Monroe county.

An act to divorce Allie Emberton and Mary F. Johnson, of Monre county.

An act declaring Blackford Creek, between Daviess and Hancock counties, a navigable stream.

An act to establish a just principle in the rates of toll on turnpike roads.

An act limiting the jurisdiction of the General Court in certain cases.

An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.

An act for the improvement of Cumberland river, and the roads in Pulaski county.

An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

An act to authorize the holding of an additional term of the Estill Circuit Court in 1849.

An act to divorce Louisa Jane Lafayette Usrey, of Marshall county.

An act to repair certain books in the Logan County and Circuit Court Clerk's offices.

An act for the benefit of Rufus Lane.

An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved January 31, 1814.

An act to divorce Walter Jones and wife.

An act for the benefit of the town of Tompkinsville.

An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

An act to repeal an act, entitled, an act to amend and reduce into one the several acts concerning strays, approved March 1, 1847.

An for the benefit of Elizabeth Hopkins and William H. Ritchie.

An act for the benefit of Thomas Crowder.

An act to divorce Nancy Forbes.

An act to divorce Robert Langford.

An act to divorce Nathan A. Williams, and others.

An act for the benefit of John Cunningham.

An act to divorce Annie E. Fairbairn.

An act to divorce Hannah Plank, of Nicholas County.

An act for the benefit of George Riley, and Matilda, his wife.

An act to protect the estates of deceased persons.

An act concerning the granting of tavern licenses in the different cities and towns.

An act to incorporate the Springfield and Perryville Turnpike Road Company.

An act to mark, definitely, the dividing lines between certain counties.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

The House took up the amendments of the Senate, to a bill from this House, entitled, an act for the appropriation of money.

Resolved, That this House recede from their disagreement to the fourth and seventh amendments of the Senate to said bill.

The ninth amendment, proposed by the Senate to said bill, reads as follows, viz:

To Mason Brown, E. H. Field, &c., Commissioners for the erection of the Military Monument, seventy six dollars; to pay for expenses incurred for advertising proposals, &c., for the erection of the same, as per account rendered.

And the question being taken on insisting on the disagreement of this House to said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rhea and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Hayden,	Pope,
Messrs. Alexander,	Headley,	Records,
Anderson,	Hite,	Robertson,
Barbee,	Holladay,	Rodman,
Bassett,	Holton,	Smith,
Beaty,	Hughes,	Speed,
Best,	Huston,	Spurr,
Bickley,	Johnson,	Stewart, M.
Blair,	Leonard,	Stuart, J.

Boarman,	Magruder,	Swan,
Daviess, W.	McClarty,	Terrill,
Dunlap,	McConnell,	Turner,
Duvall,	McFarland,	Vertress,
Ewing,	Miller,	Vickers,
Garland,	Morris,	Wallace,
Grundy,	Newell,	Woods,
Hardin,	Noe,	Word—52.
Harrison,		

Those who voted in the negative, were—

Messrs. Barlow,	Eubank,	Reiley,
Barnes,	Garred,	Reynolds,
Bibb,	Harreld,	Rhea,
Bledsoe,	Harris,	Shawhan,
Cargill,	Jackson,	Sherwood,
Chenault,	Lewis, D. P.	Stevens, J.
Conklin,	Logan,	Stevens, S.
Davis, J. W.	Lucas,	Vaughan,
Davis, J.	Napier,	Whitsett—28.
Dohoney,		

The tenth amendment, proposed by the Senate to said bill, was to strike out in the 46th section the words "one hundred and seventy," and insert the words "two hundred."

And the question being taken on insisting on the disagreement of this House to said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dohoney and Sherwood, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Holton,	Reynolds,
Messrs. Alexander,	Morris,	Robertson,
Dunlap,	Murphy,	Smith—11.
Holladay,	Pope,	

Those who voted in the negative, were—

Messrs. Anderson,	Grundy,	Miller,
Barbee,	Hardin,	Napier,
Barlow,	Harreld,	Noe,
Barnes,	Harrison,	Records,
Bassett,	Harris,	Reiley,
Beaty,	Hayden,	Reynolds,
Best,	Headley,	Rodman,
Bibb,	Hite,	Shawhan,
Bickley,	Huston,	Sherwood,
Blair,	Jackson,	Speed,
Bledsoe,	Jefferson,	Spurr,
Boarman,	Johnson,	Stevens, J.
Cargill,	Jones,	Stuart, J.
Chenault,	Leonard,	Swan,

Conklin,	Lewis, D. P.	Terrill,
Daviess, W.	Logan,	Turner,
Davis, J. W.	Lucas,	Vaughan,
Davis, J.	Magruder,	Vertress,
Dohoney,	Mason,	Vickers,
Duvall,	McClarty,	Whitsett,
Eubank,	McConnell,	Woods,
Garland,	McFarland,	Word—68.
Garred,		

Resolved, That this House insist on their disagreement to the eleventh amendment proposed by the Senate to said bill.

And that they concur in the amendments proposed by the Senate, to the amendment of this House, to the 12th amendment of the Senate to said bill.

Mr. Conklin, from the committee on Public Offices, made the following report, viz:

[*For Report—see Legislative Documents.*]

Mr. Garred asked leave to withdraw the petition of Thomas H. Stewart, which was granted, and the same was withdrawn.

Mr. Barlow, from the coommittee on Propositions and Grievances, reported the following bills, viz:

A bill to incorporate the Masonic Fraternity in the town of Standford.

A bill for the benefit of Martin V. Parker.

Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barlow, from the committee on Propositions and Grievances, to whom was referred a bill from the Senate, entitled, an act for the benefit of Elisha Crutchfield, of Graves county, reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House, constitutional provision and third reading of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

Mr. Hughes moved to suspend the rules to take up the bill from the Senate, entitled, an act to establish the Farmers' Bank of Kentucky.

And the question being taken thereon, it was decided in the negative; it requiring a majority of two thirds.

The yeas and nays being required thereon by Messrs. Harris and Whitsett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harrison,	Murphy,
Messrs. Alexander,	Hayden,	Records,
Anderson,	Headley,	Reiley,
Barnes,	Hite,	Reynolds,
Bassett,	Holladay,	Robertson,
Beaty,	Holton,	Rodman,
Best,	Hughes,	Spurr,
Bickley,	Jackson,	Stevens, J.
Blair,	Jefferson,	Stewart, M.
Boarman,	Jones,	Stuart, J.
Chenault,	Magruder,	Swan,
Dunlap,	McClarty,	Turner,
Eubank,	McFarland,	Vertress,
Garred,	Miller,	Wallace,
Grundy,	Morris,	Word—46.
Hardin,		

Those who voted in the negative, were—

Messrs. Barbee,	Dodds,	Napier,
Barlow,	Ewing,	Noe,
Bibb,	Ford,	Rhea,
Butler,	Garland,	Shawhan,
Cargill,	Gordon,	Sherwood,
Collins,	Harreld,	Terrill,
Conklin,	Harris,	Thomas,
Daviess, W.	Lucas,	Vickers,
Davis, J. W.	Mason,	Whitsett,
Davis, J.	McConnell,	Woods—30.

Mr. Blair asked leave to withdraw the petition of sundry citizens of Bath, Nicholas, Bourbon and Montgomery, praying for a new county, which was granted, and the same was withdrawn.

Mr. Chenault asked leave to withdraw the petition of Mary McWilliams, which was granted, and the same was withdrawn.

A message was received from the Senate, asking leave to withdraw their report, announcing the passage of a bill from this House, entitled, an act requiring a settlement of the accounts of the Lexington Lunatic Asylum, which was granted, and the same was withdrawn.

Mr. Hughes moved to lay on the table the bill, entitled, an act to increase the revenue.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mason and Shawhan, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Holladay,	Pope,
Barnes,	Holton,	Records,
Best,	Hughes,	Reynolds,

Bickley,	Huston,	Robertson,
Blair,	Jackson,	Rodman,
Boarman,	Jefferson,	Smith,
Chenault,	Johnson,	Spurr,
Dunlap,	Jones,	Stevens, J.
Grundy,	Lewis, D. P.	Stewart, M.
Hardin,	Magruder,	Swan,
Hayden,	McFarland,	Towles,
Hite,	Miller,	Word—36.

Those who voted in the negative, were—

Mr. Speaker,	Eubank,	Morris,
Msrs. Barbee.	Ford,	Napier,
Barlow,	Garland,	Newell,
Bassett,	Garred,	Noe,
Bibb,	Gordon,	Reiley,
Butler,	Harreld,	Rhea,
Cargill,	Harrison,	Shawhan,
Collins,	Harris,	Sherwood,
Conklin,	Headley,	Terrill,
Daviess, W.	Leonard,	Vaughan,
Davis, J. W.	Logan,	Vickers,
Davis, J.	Lucas,	Wallace,
Dodds,	Mason,	Whitsett,
Dohoney,	McConnell,	Woods—43.
Duvall,		

Mr. Wallace, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the McCracken County Court.

An act for the benefit of Lot Adams, of Morgan county.

An act to improve the navigation of Middle and Beaver creeks, in Floyd county.

An act supplemental to an act for the benefit of Darwin Johnson, approved day of , 1849.

An act to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.

An act for the benefit of John B. Marshall.

An act to amend the charter of the Danville and Perryville Turnpike Road Company.

An act for the benefit of the North Benson Baptist Church, in Franklin county.

An act for the benefit of James Tucker and his wife, and Isaac Meeks.

An act allowing an additional term of the Greenup Circuit Court.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of the widow and heirs of James Hutchinson, deceased.

An act for the protection of the public property on Licking river, and for other purposes.

An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.

An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved 22d December, 1831.

An act to incorporate the Monodelphian Society of Industrial Education.

An act to change the lines between the counties of Perry and Breathitt.

An act to divorce Eli Jester and Catharine A. Jester, and others.

An act to divorce Ambrose R. Wright, Samuel Hall and Mary E. Taylor.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act to incorporate the Taylorsville and Mount Washington Turnpike Company.

An act to repeal an act incorporating the town of Elizabethtown.

An act to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company, and the act to incorporate the Paris and Combs' Ferry Turnpike Road Company, and for other purposes.

An act to incorporate the Vestry of Grace Church, at Paducah.

An act authorizing the running of the dividing line between the counties of Campbell and Pendleton.

An act for the benefit of the Jailer of Ballard county.

An act for the benefit of A. C. Daniel, and others.

An act to divorce Juliann Robertson.

An act to incorporate the Dripping Spring Regular Baptist, Church in Barren county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Wallace inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill from this House, entitled, an act requiring a settlement of the accounts of the Lexington Lunatic Asylum, with an amendment.

That they had passed bills of the following titles, viz:

An act for the benefit of Michael Dolan.

An act for the benefit of Henry F. Turner.

Mr. Towles, from the committee on Federal Relations, read and laid on the table the following preamble and resolutions, viz:

WHEREAS, the Legislature of Tennessee, on the 20th day of January, 1844, passed an act for the appointment of a joint commission, consisting of two Commissioners from the State of Tennessee, to meet two like Commissioners upon the part of the State of Kentucky, to run and re-

mark certain portions of the boundary line between said States, and requested the concurrence of the Legislature of Kentucky in the appointment of such commission: and, whereas, the General Assembly of Kentucky did, on the 29th day of January, 1845, pass an act providing for the appointment of two Commissioners on the part of Kentucky, to meet and act with the Commissioners on the part of Tennessee, for the performance of said duty: and, whereas, under the provisions of the said acts of the Legislatures of their respective States, the Governor of the State of Tennessee did, on the 19th day of April, 1845, appoint Clement W. Nance and William P. McLain, Esqs., as Commissioners upon the part of the State of Tennessee, and that the Governor of Kentucky did, on the 8th day of May, 1845, appoint Joseph R. Underwood and Sanford Duncan, Esqrs., Commissioners on the part of Kentucky; but the said Joseph R. Underwood, Esq., having resigned said appointment on the 22d day of Sepsember, 1845, without having acted at all, the Governor of Kentucky appointed Constant A. Wilson, Esq., in his place: and, whereas, the said Constant A. Wilson and Sanford Duncan, on the part of Kentucky, and the said Clement W. Nance and William P. McLain did, on the 18th day of October, in the year 1845, proceed to discharge the duties assigned to them; and by their joint report to each of their respective States, bearing date November 8th, 1845, did report that they had performed the duties assigned to them, and returned to each of their States, fair copies of the maps of their lines, as run and marked by them, as part of their said reports: and, whereas, the Legislature of Tennessee have concurred in the said report, and has, by law, recognized the lines run and re-marked by the said Joint Commissioners as the true boundary lines between those portions of the said States, to which they refer: and, whereas, the General Assembly of Kentucky, on the —— day of ——, 1846, passed an act to compensate the said Commissioners on the part of Kentucky, but failed to adopt and concur in the said report, or to ratify the same, and recognize the lines so run and marked by the Commissioners as the true boundary line between those portions of said States to which the line refers: and, whereas, his Excellency, the Governor of Tennessee has, through the Governor of this Commonwealth, called the attention of the General Assembly of this Commonwealth to the uncertainty which prevails in relation to those portions of the boundary lines of the two States: and, whereas, it is the ardent wish and desire of the Commonwealth of Kentucky, as well as her true policy, to cultivate feelings of amity and kindness with all her sister States of this confederacy, and especially with the State of Tennessee, extending along her entire southern boundary, and united to her by a similarity of interests and political institutions. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the boundary line between the counties of Stewart, in the State of Tennessee, and the counties of Christian and Trigg, in the State of Kentucky—beginning at the north-east corner of Stewart county, in the said State of Tennessee, at a point designated on the map by the letter A, and running thence to the point designated on the map by the letter G; thence northwardly, 2 miles and 38 poles, to a point designated on said map by the letter E; thence westwardly, to a point on Cumberland river, designated on the map by the letter F, as run and marked by the said

Commissioners, be established as the true boundary and dividing line between the county of Stewart, in the State of Tennessee, and the counties of Christian and Trigg, in the State of Kentucky.

Resolved, further, That the line run and re-marked by the said Commissioners, from the foot of the Reel foot hills to the south western corner of Fulton county, on the Mississippi river, below New Madrid, as the same is laid down and designated on the maps accompanying the said report, by the letters A, B, C, to where it strikes the Mississippi river, and from the point designated in said map by the letter D, on the said Mississippi river, across New Madrid bend, to the point on said river designated by the letter E, be and the same is hereby recognized, ratified and established, as the true boundary and dividing line between the States of Kentucky and Tennessee, so far as the same extends.

Resolved, That his Excellency the Governor be, and he is hereby requested, to cause a copy of this resolution to be transmitted to the Governor of Tennessee, with the request that the same may be laid before the Legislature of his State.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with, they were twice read and concurred in.

A message was received from the Senate, by Mr. Barbour, asking leave to withdraw their report announcing their concurrence in the resolution from this House, rescinding the resolution fixing a day for the final adjournment of the General Assembly, and fixing another day.

And the question being taken on granting the leave, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barlow and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Holton,	Noe,
Messrs. Barnes,	Hughes,	Pope,
Best,	Huston,	Robertson,
Bickley,	Jefferson,	Rodman,
Blair,	Jones,	Spurr,
Boarman,	McFarland,	Stevens, J.
Grundy,	Miller,	Swan,
Hardin,	Morris,	Towles,
Hite,	Murphy,	Vertress—27.

Those who voted in the negative, were—

Messrs. Anderson,	Garland,	McConnell,
Barbee,	Garred,	Napier,
Barlow,	Gordon,	Newell,
Bassett,	Harreld,	Reiley,
Beaty,	Harrison,	Reynolds,
Bibb,	Harris,	Rhea,
Butler,	Hayden,	Shawhan,
Cargill,	Headley,	Sherwood,
Chenault,	Holladay,	Speed,

Collins,	Jackson,	Terrill,
Conklin,	Johnson,	Thomas,
Daviess, W.	Leonard,	Turner,
Davis, J. W.	Lewis, D. P.	Vaughan,
Davis, J.	Logan,	Vickers,
Dodds,	Lucas,	Whitsett,
Dohoney,	Magruder,	Woods,
Duvall,	Mason,	Word—52.
Ford,		

A message was received from the Senate, announcing that they had receded from their tenth amendment, and adhere to their eleventh amendment, to a bill from this House, entitled, an act for the appropriation of money; and had appointed a committee of conference, on their part, to act in conjunction with a similar committee on the part of this House, in relation to the disagreement between the two Houses on said amendment.

Whereupon, Messrs. Towles, Hardin and Newell, were appointed the committee on the part of this House.

After a short time, Mr. Towles, from said committe, made a report, which was concurred in.

The House then took up the amendments proposed by the Senate, to a bill from this House, entitled, an act to increase the revenue.

The first amendment, proposed to said bill by the Senate, was to strike out in the first section the words "one cent," and insert "two cents."

And the question being taken on concurring in said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dohoney and Harris, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Huston,	Robertson,
Messrs. Anderson,	Johnson,	Rodman,
Bickley,	McFarland,	Speed,
Boarman,	Miller,	Spurr,
Duvall,	Morris,	Swan,
Gordon,	Pope,	Terrill—19.
Holton,		

Those who voted in the negative, were—

Messrs. Alexander,	Garland,	McConnell,
Barbee,	Garred,	Murphy,
Barlow,	Grundy,	Napier,
Barnes,	Harreld,	Noe,
Basset,	Harrison,	Records,
Beaty,	Harris,	Reiley,
Best,	Hayden,	Reynolds,
Bibb,	Headley,	Rhea,
Blair,	Hite,	Shawhan,

Butler,	Holladay,	Sherwood,
Cargill,	Hughes,	Stevens, J.
Chenault,	Jackson,	Stewart, M.
Collins,	Jefferson,	Thomas,
Conklin,	Jones,	Turner,
Daviess, W.	Leonard,	Vaughan,
Davis, J. W.	Lewis, D. P.	Vertress,
Davis, J.	Logan,	Vickers,
Dodds,	Lucas,	Whitsett,
Dohoney,	Magruder,	Woods,
Eubank,	Mason,	Word—60.

The 2d, 3d and 4th amendments, proposed to said bill by the Senate, were then concurred in.

The 5th amendment, proposed by the Senate to said bill, is as follows, viz:

That there shall be paid and collected the sum of ten dollars upon each and every slave imported into this State, and it shall be the duty of any person or persons, importing a slave into this Commonwealth, to pay to the County Court Clerk of his, her or their county, the said sum of ten dollars, in twenty days after such importation; and, upon failure to do so, he, she or they, shall suffer and pay a penalty of one hundred dollars, to be recovered by presentment or indictment before any Court of competent jurisdiction in this Commonwealth; the County Court Clerk shall account for the tax imposed by this section as other revenue.

And the question being taken on concurring in said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lucas and McConnell, were as follows, viz:

Those who voted in the affirmative, were—

Messrs. Alexander,	Garred,	Pope,
Best,	Hardin,	Records,
Bickley,	Hayden,	Reynolds,
Blair,	Hite,	Robertson,
Butler,	Holton,	Rodman,
Collins,	Jackson,	Speed,
Daviess, W.	Lewis, D. P.	Spurr,
Davis, J. W.	Miller,	Stewart, M.
Ewing,	Morris,	Turner,
Garland,	Murphy,	Word—30.

Those who voted in the negative, were—

Mr. Speaker,	Gordon,	Napier,
Messrs. Anderson,	Grundy,	Newell,
Barbee,	Harreld,	Noe,
Barlow,	Harrison,	Reiley,
Barnes,	Harris,	Rhea,
Bassett,	Headley,	Shawhan,
Beaty,	Holladay,	Sherwood,

Bibb,	Hughes,	Stevens, J.
Boarman,	Huston,	Swan,
Cargill,	Jefferson,	Terrill,
Chenault,	Johnson,	Towles,
Conklin,	Jones,	Vaughan,
Davis, J.	Leonard,	Vertress,
Dodds,	Logan,	Vickers,
Dohoney,	Lucas,	Whitsett,
Duvall,	Magruder,	Woods—50.
Eubank,	McConnell,	

The 6th and 7th amendments, proposed by the Senate to said bill, were then concurred in.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to prevent unlawful fishing in part of Fox's and Triplett's Creeks, in Fleming county, and for other purposes.

An act for the benefit of Uriah Coppage.

An act to incorporate the Masonic Fraternity in the town of Stanford.

An act for the benefit of Martin V. Parker.

That they had adopted a resolution concerning the Falls of Cumberland river.

The amendments proposed by the Senate, to bills from this House, of the following titles, viz:

An act to change the State road leading from Canton to Waidsboro'.

An act for the benefit of the Mechanics of Garrard county.

An act for the benefit of C. M. Matthews.

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act to divorce Abraham Lighter and Mary Ann Gray.

An act to divorce Jeptha B. Erwin and Sarah Ann Erwin.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

Were taken up, twice read and concurred in.

A message was received from the Senate, announcing that they insist on their 1st and 5th amendments, to a bill from this House, entitled, an act to increase the revenue.

Resolved, That this House insist on their disagreement to said amendments, and that a committee of conference be appointed to act in conjunction with a similar committee on the part of the Senate, in relation to the disagreement between the two Houses on said amendments.

Whereupon, Messsrs. Hughes, Mason and Robertson, were appointed the committee on the part of this House.

Ordered, That Mr. Hughes inform the Senate thereof.

Mr. Records, from the committee on Enrollments, reported that the

committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Jefferson Insurance Company of Louisville.

An act to divorce Sarah Calvert.

An act to divorce James D. Franks and William A. Bishop.

An act to divorce William C. Carnahan, and others.

An act for the benefit of Rebecca Aron and Nancy L. Rose.

An act to divorce Polly Rowark.

An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.

An act for the benefit of Campbell county.

An act for the benefit of Christopher D. Weymouth.

An act to prevent the destruction of fish in the Little Kentucky River and Harrod's creek.

An act to change the name of Louisa Turner and others.

An act to amend the charter of the Licking and Lexington Railroad Company.

An act to divorce Elizabeth Green.

An act to incorporate the German Benevolent Society of Louisville.

An act to extend the powers of the Trustees of the town of New Castle.

An act to divorce Daniel Ramsey.

An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.

An act to incorporate the several Masonic Institutions of Louisville.

An act to permit certain persons to build a mill dam across Kinnicanick.

An act to change the mode of advertising the forfeiture and sale of lands for taxes.

An act for the benefit of Jesse Vansickles.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to extend the powers of the Marshal of the City of Louisville, and in relation to the Police Judge of Paducah.

An act concerning Surveyors of Roads in Kenton county, and for other purposes.

An act to incorporate the New Liberty and Marion Turnpike Road Company.

An act to incorporate the town of Clayvillage, in Shelby county, and Crab Orchard, in Lincoln county.

An act to incorporate the Trustees of the Harmony Church, of Garrard county.

An act to incorporate the Nicholasville and Jessamine county Turnpike Road Company.

An act to divorce John McKenzie.

An act for the benefit of David Logan and his children.

An act to establish the town of Brooklyn, in the county of Campbell.

And a bill which originated in the Senate, entitled, an act for the benefit of Robert Williams.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

Mr. Hughes, from the committee of conference, on the disagreement between the two Houses, on the amendments proposed by the Senate to a bill from this House, entitled, an act to increase the revenue, made the following report, viz:

That the House of Representatives recede from their disagreement to the first amendment to said bill, and that the Senate recede from their fith amendment to said bill.

And the question being taken on concurring in said report, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hughes and Dohoney, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,
Messrs. Anderson,
Bickley,
Blair,
Boarman,
Dunlap,
Duvall,
Ewing,
Ford,
Gordon,
Hardin,
Harreld,
Harrison,
Hayden,
Hite,
Holton,
Hughes,
Huston,
Jefferson,
Johnson,
McClarty,
McFarland,
Miller,
Morris,
Murphy,
Pope,
Reiley,
Reynolds,
Rhea,
Robertson,
Rodman,
Speed,
Spurr,
Stuart, J.
Swan,
Terrill,
Towles—37.

Those who voted in the negative, were—

Messrs. Barbee,
Barlow,
Barnes,
Bassett,
Beaty,
Best,
Bibb,
Butler,
Cargill,
Chenault,
Collins,
Conklin,
Daviess, W.
Davis, J. W.
Eubank,
Garland,
Garred,
Grundy,
Harris,
Headley,
Holladay,
Jackson,
Jones,
Leonard,
Lewis, D. P.
Logan,
Lucas,
Magruder,
Napier,
Newell,
Noe,
Records,
Shawhan,
Sherwood
Stevens, J.
Stewart, M.
Thomas,
Turner,
Vaughan,
Vertress,
Vickers,
Wallace,

Davis, J. Mason, Woods,
Dodds, McConnell, Word—49.
Dohoney,

Mr. Hite asked leave to withdraw the petition, &c., in relation to Augusta College, which was granted, and the same was withdrawn.

And then the House adjourned.

WEDNESDAY, FEBRUARY 28, 1849.

A message was received from the Senate, announcing their concurrence in the preamble and resolutions from this House, confirming the report of the Commissioners, fixing the boundary line between Tennessee and Kentucky, with an amendment.

The said amendment was then taken up, twice read and concurred in.

A bill from the Senate, entitled, an act for the benefit of Henry F. Turner; was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision and second and third readings of said bill having been dispensed with,

Resolved, That the same do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had appointed another committee of conference, to act in conjunction with a similar committee on the part of this House, in relation to the disagreement between the two Houses on the amendments proposed by the Senate, to a bill from this House, entitled, an act to increase the revenue.

Whereupon, Messrs. Hardin, Newell and Huston, were appointed the committee on the part of this House.

Mr. Boarman asked leave to withdraw the petition of sundry citizens of Marion, Nelson and Larue counties, praying for the improvement of the Rolling Fork, which was granted, and the same was withdrawn.

Mr. Towles moved the following resolution, viz:

Resolved, That the gratitude of the House of Representatives is due, and its thanks are hereby tendered, to the Hon. Gwyn Page, Speaker of this House, for the prompt, dignified, efficient, and impartial manner with which he has discharged the delicate and arduous duties confided to him.

Which was unanimously adopted.

Mr. Barlow moved the following resolution, viz:

Resolved, That the Public Printers be directed to print the usual number of the Synopsis of the Acts for the use of the members of this House.

Which was adopted.

Mr. Hite moved the following resolution, viz:

Resolved, That the thanks of this House be tendered to the Clerk, Assistant Clerk, and various officers, for the faithful manner in which they have dircharged the duties which devolved on them as such.

Which was unanimously adopted.

Mr. Rhea moved the following resolution, viz:

Resolved, That the thanks of the House are due C. C. Cole, Esq., for his faithful and impartial reports of the proceedings of the present session of the Legislature.

Which was unanimously adopted.

Mr. Hardin, from the committee of conference, on the disagreement between the two Houses, on the amendments proposed by the Senate, to a bill from this House, entitled, an act to increase the revenue, made the following report, viz:

Resolved, That the House recede from its disagreement to the 1st amendment of the Senate, and the Senate withdraw from its adherence to the 5th amendment of the Senate.

And the question being taken on concurring in said report, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Harris and J. W. Davis, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker,	Harreld,	Reynolds,
Messrs. Alexander,	Harrison,	Rhea,
Anderson,	Hayden,	Robertson,
Best,	Hite,	Rodman,
Bickley,	Holton,	Smith,
Blair,	Hughes,	Speed,
Boarman,	Huston,	Spurr,
Chenault,	Jefferson,	Stevens, J.
Dodds,	Lewis, D. P.	Stewart, M.
Dunlap,	Magruder,	Stuart, J.
Duvall,	McClarty,	Swan,
Ewing,	Miller,	Terrill,
Ford,	Morris,	Towles,
Gordon,	Murphy,	Vertress—44.
Hardin,	Reiley,	

Those who voted in the negative, were—

Messrs. Barbee,	Garland,	Napier,
Barlow,	Garred,	Newell,
Barnes,	Grundy,	Noe,
Bibb,	Harris,	Thomas,
Butler,	Headley,	Turner,
Cargill,	Holladay,	Vaughan,
Conklin,	Jackson,	Vickers,
Davis, J. W.	Leonard,	Wallace,
Davis, J.	Logan,	Woods,

Dohoney, Lucas, Word—32.
Eubank, Mason,

A message was received from the Senate, announcing their concurrence in the report of the said committee of conference on said bill.

Mr. Towles moved the following resolution, viz:

Resolved, That the members of the House of Representatives, after an intimate association in Legislative duties for the space of two months, incident to all those jarring interests which must necessarily occur, and those differences in opinion which arise ever in the minds of those who seek to advance the public interest of the State, and cherish it as the chief good in their hearts, now about to separate and return to their constituents, their homes, their firesides, their immediate friends, wish each to the other, a friendly farewell, and a safe and happy arrival to the bosom of their families, and *part as friends*.

Which was unanimously adopted.

Mr. Hite moved the following resolution, viz:

Resolved, That that the thanks of this House be tendered to the Ministers of the Gospel, for their kind and faithful attendance upon the House during the present session, in rendering ministerial service.

Which was unanimously adopted.

Mr. Records, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, and a preamble and resolutions, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to increase the powers of the Trustees of the town of Versailles.

An act for the benefit of Martin V. Parker.

An act to divorce Abraham Lighter, Nancy Stringer and Mary Ann Gray.

An act to divorce Jeptha B. Erwin and Sarah Ann Erwin, and others.

An act to change the State road leading from Canton to Waidsboro'.

An act for the benefit of C. M. Matthews, and for other purposes.

An act to divorce Louisa Burress, and others.

An act to divorce David Fleming, and others.

An act to divorce Nancy C. Blewett, and others.

An act to divorce Gilbert Williams, and for other purposes.

An act for the benefit of the Mechanics of Garrard and Laurel counties.

An act to divorce Mahulda Renfro, and others.

An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.

An act to divorce Emerine Sneed and R. D. Menser.

An act to divorce Elizabeth Whitlock, and others.

An act to divorce Thomas Edmonson and Colton Hobdy.

An act to divorce Anderson Sizemore and Susannah Norris.

An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act for the benefit of McCracken county.

An act for the benefit of George W. King, of Henderson county.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their licenses.

An act to revive an act, entitled, an act to incorporate a Company to construct a Turnpike Road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved Feb. 29, 1836.

An act for the benefit of the heirs of Thomas Taylor, deceased.

An act for the appropriation of money.

An act to incorporate the Mill Creek Christian Church, in Monroe county.

An act to incorporate the Masonic Fraternity of the town of Stanford.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act to incorporate a company to turnpike a road from Harrodsburg to Cane Run Meeting House.

An act to change the Richmond State road.

An act for the benefit of the Athenian Light Infantry Company.

An act for the benefit of Uriah Coppage.

An act to divorce Margaret Frazier, and John and Elizabeth Elston.

An act to prevent unlawful fishing in parts of Fox and Triplett's creeks, in Fleming county, and for other purposes.

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act to increase the Revenue.

Preamble and resolutions confirming the report of the Commissioners fixing the boundary line between Tennessee and Kentucky.

And bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of Henry F. Turner.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Records inform the Senate thereof.

A message was received from the Governor, by the Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, which originated in this House, of the following titles, viz:

An act to amend an act, to amend the law prohibiting the importation of slaves into this State.

An act to allow Greenup county an additional Justice of the Peace, and additional Constables to Henry and Cumberland counties.

An act to allow an additional Constable to Hardin county.

An act for the benefit of Philip F. Craycraft and wife.

An act to extend the limits of the town of Campbellsville.

An act to incorporate the Hopkinsville Fire, Life and Marine Insurance Company.

An act for the benefit of the Washington Female Seminary.

An act to amend an act to incorporate a Turnpike Road from Washington to Murphysville, in Mason county.

An act for the benefit of John B. Phelps, a lunatic.

An act to incorporate the Georgetown and South Elkhorn Turnpike Road Company.

An act to incorporate the Irvine Seminary, in the county of Estill.

An act to incorporate the South Kentucky Institute.

An act to authorize the trustees of Carlisle to levy and collect an additional tax.

An act to appoint a Justice of the Peace in Jefferson county, and for other purposes.

An act to incorporate the Harrodsburg Springs Company.

An act to amend an act incorporating the town of East Maysville, in Mason county.

An act granting a change of venue to James H. Arnold.

An act to authorize the Register of the Land Office to extend a line in a survey in the name of J. Eubank, in Monroe county.

An act to amend an act, entitled, an act to incorporate the Maysville Manufacturing Company, and for other purposes.

An act to change the line between the counties of Clay and Laurel.

An act for the benefit of Mrs. Leavy, and her children.

An act for the benefit of the Mechanics of Nicholas county.

An act establishing a July term of the Cumberland Circuit Court.

An act for the benefit of Jordan Middleton and William Ratliff.

An act to allow an additional Justice of the Peace to Spencer county.

An act for the benefit of Lucretia Gwyn.

An act to incorporate the town of Irvine, in the county of Estill, and for other purposes. Approved Feb. 24, 1849.

An act to repeal the charter of Augusta College.

An act to amend the charter of the Lancaster and Crab Orchard Turnpike Road Company.

An act for the benefit of J. M. Martin, administrator of Ephraim Ball, deceased.

An act for the benefit of Eden Shotwell.

An act to amend, in part, the charter of the city of Louisville.

An act to amend the charter of the town of Lower Cloverport.

An act for the benefit of S. Renfro and others.

An act to amend an act to establish a bridge at Falmouth, approved January 30, 1834.

An act for the benefit of J. S. Golladay, of Logan county.

An act for the benefit of Frederick Mayberry.

An act to amend the militia law.

An act to regulate the duties of the Police Judge of the town of New Liberty, and for other purposes.

An act for the benefit of S. G. Rogers.

An act for the benefit of James Penney.

An act to establish election precincts in Calloway and Bullitt.

An act to establish election precincts in Clarke, Henderson and Hart counties.

An act for the benefit of George T. Anderson, of Logan county.

An act to change the name of Martha Trisler, and for other purposes.

An act for the benefit of Milly Walker, of Fleming county.

An act for the benefit of Charles H. Stutteville, late Sheriff of Grayson county.

An act for the benefit of Nathan Butler and Addison Carneal, of Todd county.

An act for the benefit of R. P. Dodds, of Fulton county.

An act authorizing the County Court of Butler to change the State road from Bowlinggreen to Greenville.

An act to authorize the Hart County Court to establish a road.

An act to amend the charter of the Turnpike Road Company from Bowlinggreen to the Tennessee line.

An act to establish election precincts in Taylor and Laruel counties, and for other purposes.

An act for the benefit of Lydia Hindman, of Barren county.

An act for the benefit of William Harman, George W. Riddle and Clement M. Buckman.

An act to authorize the appointment of a Police Judge in the town of Portland.

An act to incorporate the Louisville Orphans' Home Society.

An act for the benefit of Isham Jones.

An act for the benefit of A. M. Vanarsdale, of Mercer county.

An act for the benefit of E. S. Steed, of Graves county.

An act to establish an election precinct at Ballardsville, in Oldham county.

An act to incorporate the Bowlinggreen Thespian Society.

An act to authorize the Johnson County Court to sell a part of the Public Square in the town of Paintsville.

An act to incorporate the Franklin Fire Company, No. 2, of Covington.

An act for the benefit of Bethania Bennet.

An act for the benefit of Milly Ann Skaggs and Warren H. Jones.

An act for the benefit of the Marshal of Paducah.

An act to authorize the executor or administrator of W. N. Miller to sell a slave.

An act to amend the laws in relation to the Trustees of the town of Burlington.

An act to amend an act to incorporate the Merchants' Louisville Insurance Company.

An act concerning the vacant lands in Whitley county.

An act for the benefit of the town of Hawesville, in Hancock county.

An act for the benefit of Common Schools.

An act to create the office of Police Judge, in the town of Hartford, and defining his duties and powers. Approved February 26, 1849.

An act to incorporate the Jefferson Insurance Company of Louisville.

An act to amend the charter of the Licking and Lexington Railroad Company, approved March 1, 1847.

An act for the benefit of Jesse Vansickles.

An act to amend the charter of the city of Louisville, and for other purposes.

An act to permit certain persons to build a mill dam across Kinnicanick.

An act to change the mode of advertising the forfeiture and sale of lands for taxes.

An act to establish the town of Brooklyn, in Campbell county.

An act for the benefit of Joseph Riddle, of Cumberland county.

An act to divorce Ambrose R. Wright, Samuel Hall and Mary E. Taylor.

An act for the benefit of James Tucker and his wife, and Isaac Meeks.

An act establishing an additional term of the Greenup Circuit Court.

An act to divorce John McKenzie.

An act to divorce Rebecca Aaron, and Nancy L. Rose.

An act to divorce Wm. P. Carnahan, and others.

An act for the benefit of the North Benson Baptist Church, in Franklin county.

An act concerning Surveys of roads in Kenton county, and for other purposes.

An act to incorporate the town of Clayvillage in Shelby county, and Crab Orchard in Lincoln county.

An act to incorporate the Trustees of the Harmony Church, of Garrard county.

An act to extend the powers of the Marshal of the city of Louisville, and in relation to the Police Judge of Paducah.

An act to incorporate the Nicholasville and Jessamine County Turnpike Road Company.

An act to incorporate the New Liberty and Marion Turnpike Road Company.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of the widow and heirs of James Hutchison, deceased.

An act to divorce Juliann Robinson.

An act to incorporate the Trustees of the Dripping Spring Regular Baptist Church, in Barren county.

An act for the benefit of the McCracken County Court.

An act for the benefit of Lot Adams, of Morgan county.

An act authorizing the running of the dividing line between the counties of Campbell and Pendleton.

An act to amend the charter of the Lebanon, New Market and Springfield Turnpike Road Company.

An act for the benefit of John B. Marshall.

An act to incorporate the Monodelphian Society of Industrial Education.

An act to incorporate the German Roman Catholic St. Boniface Benevolent Society of Louisville.

An act to amend an act, entitled, an act for the benefit of the Mechanics of the city of Louisville, approved December 22d, 1831.

An act to divorce Eli Jester and Catharine A. Jester, and others.

An act to change the line betwen the counties of Perry and Breathitt.

An act for the protection of the public property on Licking river, and for other purposes.

An act to incorporate the Taylorsville and Mount Washington Turnpike Road Company.

An act to improve the navigation of Middle and Beaver creeks, in Floyd county.

An act to incorporate the several Masonic Institutions of Louisville.

An act for the benefit of the heirs of Hiram Duley, deceased, of Fleming county.

An act to extend the powers of the Trustees of the town of New Castle.

An act to divorce Daniel Ramsey.

An act to change the names of Louisa Turner, and others

An act to prevent the destruction of fish in the Little Kentucky river, and Harrod's creek.

An act for the benefit of the Trustees of the town of Stephensport, in Breckinridge county.

An act for the benefit of David Logan and his children.

An act to divorce Sarah Calvert.

An act to incorporate the Vestry of Grace Church at Paducah.

An act for the benefit of the Jailer of Ballard county.

An act for the benefit of A. C. Daniel and others.

An act to divorce James D. Franks, and Wm. A. Bishop.

An act supplemental to an act for the benefit of Darwin Johnson, approved —— day of ———, 1849.

An act to divorce Polly Rowark.

An act to amend the charter of the Danville and Perryville Turnpike Road Company.

An act to amend the act to incorporate the Paris and Cynthiana Turnpike Road Company

An act to repeal an act incorporating the town of Elizabethtown.

An act for the benefit of Christopher D. Weymouth.

An act for the benefit of the Campbell County Court.

An act to divorce Elizabeth Green.

An act incorporating the German Jefferson Benevolent Society of Louisville. Approved Feb. 27th, 1849.

Preamble and resolutions in relation to the publication of a map of the State, by Boner and Klyng. Approved Feb. 19, 1849.

An act to divorce Thomas Edmonson and Colton Hobdy.

An act to divorce Anderson Sizemore and Susannah Norris.

An act to divorce Mahulda Renfro, and others.

An act for the benefit of the Mechanics of Garrard and Laurel counties.

An act to incorporate the Masonic Fraternity in the town of Stanford.

An act requiring a settlement of the accounts of the Lexington Lunatic Asylum.

An act to divorce David Fleming, and others.

An act to divorce Louisa Burriss, and others.

An act to change the State road leading from Canton to Waidsboro'.

An act for the benefit of C. M. Mathews, and for other purposes.

An act for the benefit of Martin V. Parker.

An act to increase the powers of the Trustees of the town of Versailles.

An act to divorce Abraham Lighter, Nancy Stringer, and Mary Ann Gray.

An act to divorce Jeptha B. Erwin, Sarah Ann Erwin, and others.

An act to incorporate the Brooksville and Rock Spring Turnpike Road Company.

An act to authorize Robert T. Stratton to sell certain lands belonging to the estate of Peter Stratton, deceased.

An act for the benefit of McCracken county.

An act to divorce Nancy C. Blewitt, and others.

An act to divorce Gilbert Williams, and for other purposes.

An act to divorce Elizabeth Whitlock, and others.

An act to divorce Emerine Sneed and R. D. Menser.

An act requiring Coffee House Keepers, and other licensed retailers of spirituous liquors, to pay a tax to the State for their license.

An act to change the names of Elizabeth Hale, Ellen Hale, and Ann Maria Hale.

An act for the benefit of George W. King, of Henderson county.

An act for the benefit of Uriah Coppage.

An act to divorce Margaret Frazier and John and Elizabeth Elston.

An act for the appropriation of money.

An act for the benefit of the Athenian Light Infantry Company.

An act to change the Richmond State road.

An act to authorize the surrender of State bonds, and to provide for the cancelment and burning of State bonds, and for other purposes.

An act to prevent unlawful fishing in parts of Fox and Triplett creeks, in Fleming county, and for other purposes.

An act to revive an act, entitled, an act to incorporate a Company to construct a turnpike road from Shelbyville to the contemplated Railroad near Christiansburg, in Shelby county, approved February 29, 1836.

An act for the benefit of the heirs of Thomas Taylor, deceased.

An act for the benefit of Narcissa Amanda Morgan.

An act to incorporate the Mill Creek Christian Church, in Monroe county.

An act to incorporate a Company to turnpike a road from Harrodsburg to Cane Run Meeting House.

An act to increase the revenue.

Preamble and resolutions confirming the report of the Commissioners, fixing the boundary line between Tennessee and Kentucky.

Approved February 28, 1849.

A message was received from the Senate, announcing that they had received official informntion from the Governor, that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the Trustees of Cynthiana to levy and collect an additional tax.

An act authorizing the sale of certain alleys in Winchester.

An act to extend the corporate limits of Newport.

An act to repeal an act, entitled, an act to prevent the sale of spirituous liquors within the town of Lagrange, and one mile therefrom, approved January 29, 1846.

An act for the benefit of James Byles.

An act for the benefit of James Bartrum.

An act for the benefit of John M. Fraim, of Monroe county.

An act for the benefit of Gilson P. Snelling.

An act to authorize Hugh W. McNary to sell a slave in this State, and for other purposes.

An act for the benefit of William and Sarah Compton.

An act for the benefit of Wm. Cecil.

An act for the benefit of Washington Kennedy's children.

An act in relation to the Executive offices.

An act for the benefit of Garvin Morrison, Constable of Harrison county.

An act for the benefit of Warrenton S. Bland.

An act for the benefit of John Fible, of Oldham county.

An act to amend an act for the benefit of the children and heirs at law of Louisa Dunnington, approved March 1, 1848.

An act for the benefit of the devisees of Rolla Blue.

An act for the benefit of James L. Turman, Samuel Hogan and John L. Price.

An act to provide for the sale of a certain house for public worship, in Hardin county.

An act for the benefit of James Haun, guardian of John James Haun.

An act for the benefit of Miraim E. Carter.

An act for the benefit of Middletown, in Jefferson county, and for other purposes.

An act for the benefit of Thomas Rankin, jailer of Harrison county.

An act for the benefit of Green V. Goble.

An act to amend proceedings before Justices of the Peace.

An act to amend an act concerning strays, approved March 1, 1847.

An act for the benefit of Ervin Anderson, of Graves county.

An act for the benefit of Alonzo Livermore and Jacob Yost.

An act to extend to the county of Fayette the provisions of an act further to provide for the appointment of Patrols in this Commonwealth, approved February 18, 1841, and for other purposes.

An act declaring the "Hopkins Delta" a public authorized newspaper.

An act allowing the Judge of the 16th Judicial District further time to move into his District.

An act to incorporate the town of Owenton, in Owen county.

An act for the benefit of Louisa Williams.

An act for the benefit of Ira H. and Wm. George.

An act for the benefit of the heirs of Wm. R. Griffith, deceased.

An act allowing additional election precincts in Rockcastle and Knox counties.

An act granting a change of venue to Wm. Burns.

An act for the benefit of David I. Caldwell, his wife and children.

An act for the benefit of Jack Hardin and B. Mills Crenshaw.

Approved February 19, 1849.

An act for the benefit of John J. Greenwade and Mary, his wife.

An act to amend the laws relating to the town of Frankfort.

An act for the benefit of the town of Newport.

An act amendatory of an act, entitled, an act to incorporate the Paris, Winchester and Kentucky River Turnpike Road Company, approved February 25, 1848.

An act for the benefit of the Somerset Seminary.

An act for the benefit of the late Sheriff of Grant county.

An act for the benefit of Lodge, No. 138, of Ancient York Masons.

An act to incorporate the Springfield, Maxville and Harrodsburg Turnpike Road Company.

An act in relation to the Clerks of the Marshall Circuit and County Courts.

An act for the benefit of the administrator and heirs of Polly Armstrong, deceased.

An act for the benefit of Radford J. Maxey, of Monroe county.

An act for the benefit of the administrator and heirs of James G. Hazlerigg, deceased.

An act for the benefit of Abel Sullivan.

An act for the benefit of George Stivers, Sr., of Clay county.

An act to amend an act for condemning lands for public purposes, approved February 26, 1842, and for other purposes.

An act for the benefit of William Wallace Blackwell and others, of Clarke county.

An act to incorporate Owen Lodge, No. 128, and Owen Chapter, No. 23.

An act to enlarge the powers of the Trustees of the town of Hamilton, in Boone county, and for other purposes.

An act to change the names of Samuel W. Grant and others, to that of Atkinson.

An act authorizing the Board of Internal Improvement to settle the accounts of James R. Skiles.

An act for the benefit of the heirs of Nancy Strother, and Margaret B. Carpenter.

An act to amend an act, entitled, an act to incorporate the town of Greensburg.

An act to amend an act to incorporate the Trustees and Stockholders of the Doan and Gracy Fund.

An act for the benefit of the Barren River Navigation and Manufacturing Company.

An act to change the name of the town of Marion, in Scott county, to that of Oxford.

An act for the benefit of School District No. 9, in Russell county.

An act to restore the Middle Term of the Campbell Circuit Court.

Approved February 21, 1849.

An act to incorporate the Green and Larue County Turnpike Road Company.

An act to authorize the Trustees of the Parsonage of the Methodist Episcopal Church South, in Mountsterling, to sell a part of the parsonage lot, and for other purposes.

An act for the benefit of the widow and heirs of George Fry, deceased.

An act to construct a Turnpike Road from Versailles to the Kentucky river, at or near McCoun's ferry, and from Versailles to Munday's or Singleton's landing.

An act for the benefit of the President, Directors and Company of the Bon Harbour Mining and Manufacturing Company.

An act to incorporate the Flat Lick Seminary, in Knox county.

An act for the benefit of the heirs of Edward Haley, deceased.

An act to amend an act, entitled, an act to incorporate the town of Mayfield, and for other purposes.

An act to amend the charter of the Louisville Marine and Fire Insurance Company.

An act to incorporate the town of South Carrolton, in Muhlenburg county.

An act to change the Fall term of the Clay Circuit Court, and in relation to the Fleming Circuit Court.

An act for the benefit of the Hustonville Uniform Infantry Company.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act for the benefit of Edwin Trimble, and for other purposes.

An act to change the time of holding the Hopkins Circuit Court, and for other purposes.

An act to divorce Brazilla Payton and Wm. Rankin.

An act to establish the office of Police Judge for the town of Harrisonville, in Shelby county.

An act for the benefit of the Clerk of the Marshall County and Circuit Courts.

An act respecting conveyances by married women.

An act to amend the road law of Boone county.

An act to incorporate the Maysville Gas Light Company.

An act to incorporate the Maysville Cemetery Company.

An act to incorporate the Clark's River Bridge Company.

An act for the benefit of the Leesburg Light Artillery Company.

An act for the benefit of the Sheriff of Campbell county.

Approved February 23, 1849.

An act to charter the Kentucky Insurance Company.

An act to incorporate the Male and Female Institute of Calloway county, and Shelbyville Female College.

An act for the benefit of John Jay Anderson.

An act for the benefit of James A. Wilson.

An act to divorce Joseph Howard.

An act for the benefit of certain children in District No. 1, in Graves county.

An act for the benefit of Thomas T. Tindal and Nancy Bell.

An act to divorce Mary Catharine Duncan and Owen C. Turner.

An act legalizing the organization and first election of officers by the Dry Creek and Covington Turnpike Road Company.

An act to amend an act to revive the charter of the Augusta, Cynthiana and Georgetown Turnpike Road Company.

An act for the benefit of Margaret Wilson, and others.

An act for the benefit of William Griffey.

An act for the benefit of Jane Duddy.

An act to amend an act to incorporate the Georgetown and Paris Turnpike Road Company, approved March 1, 1847.

An act to divorce Edward S. Bowman and Hickerson Smith.

Approved February 24, 1849.

An act to amend the charter of the Clark's Run and Salt River Turnpike Road Company. Approved February 24, 1849.

An act to incorporate the Petersburg and Burlington Turnpike Road Company, and Owenton and Ross' Mill Turnpike Road Company.

An act to charter the Nicholas Savings Institution, and amend the charter of the Versailles Savings Institution.

An act to permit the citizens of the town of Louisa to vote for or against granting tavern license, and for other purposes.

An act to incorporate the Henry and Trimble Turnpike Road Company.

An act to establish the town of Gordonsville, in Hopkins county.

An act to incorporate the Licking Steamboat Navigation Company.

An act to incorporate the Newtown and Leesburg Turnpike Road Company.

An act to amend the charter of the Campbell Turnpike Road Company, and for other purposes.

An act to establish the town of Miltonville, in Casey county.

An act for the benefit of Moses Hubbard and wife.

An act concerning Common Schools.

An act to amend the charter of Paducah.

An act for the benefit of Wilson Evans.

An act for the benefit of George McFarland Hall.

An act to establish an election precinct at the house of Jacob Yost, in Logan county, and for other purposes.

An act for the benefit of William L. Owens, and others.

An act to incorporate the Campbell and Pendleton Turnpike Road Company, and amend the charter of the Versailles and Midway Turnpike Road Company.

An act to incorporate the Springfield, Maxville and Perryville Turnpike Road Company.

An act to amend the charter of the Maysville and Lewis County Turnpike Road Company.

An act to amend an act to amend the penal laws of this Commonwealth, approved February 11, 1809.

An act to charter sundry Turnpike Companies in Madison county.

An act for the benefit of the estate of J. T. Thomasson, deceased.

An act to amend the act incorporating the Kentucky Military Institute.

An act for the benefit of Benjamin D. Beall and James Sparks.

An act for the benefit of Vincent Brooks.

An for the benefit of Spottswood Wills.

An act for the benefit of the widow and children of Christopher Fry.

An act authorizing the Marshall County Court to change a part of the State road leading from Hopkinsville to Columbus.

An act authorizing the establishment of a State road from Pembroke to Green river.

An act to amend the charter of the Winchester and Mountsterling Turnpike Road Company.

An act supplemental to an act to repeal the charter of Augusta College.

An act to establish a summer term of the Franklin Circuit Court, and to change the fall term of said Court, and for other purposes.

An act for the benefit of the Clerk of the Caldwell Circuit Court.

An act further to provide for the erection of the Second Kentucky Lunatic Asylum.

An act to change the place of voting in the Flint Island Precinct, in Breckinridge county.

An act to amend an act, entitled, an act to extend the limits of the town of Hopkinsville.

An act for the benefit of Henry M. Lutes, of Owsley county.

An act for the benefit of John R. Thornton and Richard Kenningham, trustees.

An act for the benefit of William and John Chiles, of Estill Springs.

An act to allow an additional Justice of the Peace to Hopkins county.

An act granting a change of venue to James May.

Approved February 26, 1849.

An act divorcing Henrietta Dupuy, and others.

An act for the benefit of John Walker, of Anderson county, and others.

An act for the benefit of Morton G. Hammons and Mary A. Hammons, and others.

An act to divorce Mary Duck, of Laurel county.

An act to divorce Lucinda Fish.

An act divorcing James and Hannah Price, and Samuel Bileter.

An act to divorce Jane Gatliff.

An act to divorce Susan Burden, and others.

An act to divorce William Gibson and Sarah Jane Gibson, of Graves county, and S. B. Woolfolk.

An act for the benefit of Ezekiel Arterberry.

An act for the benefit of George Riley and Matilda, his wife.

An act to divorce Hannah Plank, of Nicholas county.

An act to divorce Walter Jones and wife.

An act to divorce Caleb F. Riggs and Samuel B. Woolfolk.

An act to divorce Allie Emberton, of Monroe county, and Mary F. Johnson.

An act for the benefit of David Pirtle.

An act for the benefit of Elizabeth Hopkins and Wm. H. Ritchie.

An act to divorce Jane McDonald and Darling McDonald, of Monroe county.

An act to divorce Louisa Jane Lafayette Usrey, of Marshall county.

An act for the benefit of Thomas Crowder.

An act to divorce Nancy Forbes.

An act to divorce Robert Langford.

An act to divorce Nathan A. Williams and others.

An act to divorce Annie E. Fairbairn.

An act for the benefit of John Cunningham.

An act concerning the granting of tavern licenses in the different cities and towns.

An act to protect the estates of deceased persons.

An act authorizing Coroners to convey lands in certain cases.

An act to authorize the holding of an additional term of the Estill Circuit Court, in 1849.

An act to authorize the arranging and transcribing of certain books in the Auditors' and Treasurer's offices.

An act to incorporate the Springfield and Perryville Turnpike Road Company.

An act to amend an act prescribing the duties of the Board of Commissioners of the Sinking Fund, &c.

An act to establish a just principle in the rates of toll on Turnpike Roads.

An act declaring Blackford creek, between Daviess and Hancock counties, a navigable stream.

An act to repeal all acts prohibiting the circulation, in this Commonwealth, of bank notes of less denomination than five dollars.

An act to amend the act, entitled, an act to amend the several laws establishing a permanent revenue, approved Jan. 31, 1814.

An act to repair certain books in the Logan County and Circuit Court Clerks' offices.

An act for the benefit of Rufus Lane.

An act limiting the jurisdiction of the General Court in certain cases.

An act for the benefit of William S. Patterson.

An act authorizing toll gate keepers to administer oaths in certain cases, and for other purposes.

An act for the improvement of the Cumberland river, and the roads in Pulaski county.

An act for the benefit of the town of Tompkinsville.

An act to repeal an act, entitled, an act to amend an act to reduce into one the several acts concerning strays, approved March 1, 1847.

An act to mark definitely the dividing line between certain counties.

An act concerning the road from Birch Lick creek, in Madison county, to Brashears' Salt Works, in Perry county.

An act for the benefit of those who have imported slaves contrary to the law of 1833.

An act for the benefit of Robert Williams.

Approved February 27, 1849.

Resolution in relation to the settlement with the present Keeper of the Penitentiary. Approved February 24, 1849.

Resolution providing for a settlement with Peter Dudley, late Treasurer. Approved February 26, 1849.

An act to incorporate the Burlington and Dry Creek Turnpike Road Company.

An act for the benefit of Henry F. Turner.

Approved February 28, 1849.

A message was received from the Senate, by Mr. Todd, announcing that the Senate had closed their legislative business, and were ready to close the present session of the General Assembly, by an adjournment, on their part, without day; and had appointed a committee, on their part, to act in conjunction with a similar committee on the part of this House, to wait

on the Governor, and inform him of the proposed adjournment of the General Assembly, and to know if he have any other communicaton to make.

Whereupon, Messrs. Hardin, J. Stevens and Ewing, were appointed the committee on the part of this House.

Ordered, That Mr. Hardin inform the Senate thereof, and that this House had also closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment without day.

The committee then retired, and after a short time returned, when Mr. Hardin, from said committee, reported that the committee had performed the duty assigned them, and were informed by the Governor, that having from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon, the Speaker having delivered a valadictory address, adjourned the House without day.

INDEX

TO THE

JOURNAL OF THE HOUSE OF REPRESENTATIVES.

☞ THE FIGURES REFER TO THE PAGES.

Aaron, Rebecca, petition of 55
act to divorce 495, 541, 549
Abell, John, petition of 203
Abolition, resolutions in relation to 233
Accounts of executors, administrators and guardians, act in relation to settlement of 59, 64, 93, 125, 157, 177, 178
Acts, resolution to print synopsis and titles of the 543
Adair county, petition of citizens of 54, 179
—see Justices.
Adair, John, a bill to divorce 122, 189, 305, 342, 428, 447
Adams, John, a bill for benefit of, and J. L. Jones 213, 275, 334, 446
Adams, Lott, petition of, and others 227
a bill for his benefit 441, 496, 534, 550
Adas, Israel, a bill for the benefit of 59, 63, 90, 111, 120
Ad quod damnum, act in relation to writs of 297, 338, 503, 527
Advertising forfeited lands, a bill to change the mode of 244, 397, 496, 541, 549
Agriculture and manufactures, committee on, appointed 71
Alderson, John, petition of 74, 104
All, Benjamin, petition of 126
a bill for his benefit 183, 214, 287, 308
Allen, Buford E., a bill for his benefit 59, 64, 112, 146, 157, 177
Allen Circuit Court—see Courts, Circuit.
Allen county—see Election Precincts.
Allen, Job, petition of 166, 300, 300
a bill for his benefit 428, 466, 522

Alexander, Francis, act for benefit of 122, 149
Alexandria Lodge No. 152, act to incorporate 196, 201, 214, 287, 349
Anderson Circuit Court—see Courts, Circuit.
Anderson county, petition of citizens of 317
Anderson, Erwin, act for his benefit 203, 255, 302, 336, 553
Anderson, George T., a bill for the benefit of 109, 280, 426, 500, 548
Anderson, John J., act for his benefit 215, 255, 444, 463, 556
Anderson, John, petition of 74, 104
Anderson, Walter Winston, act to legitimate 160, 201, 226, 288, 308
Applegate, Sarah N., petition of 179
Appropriation of Money, act for the 421, 422, 423, 424, 460, 461, 464, 530, 531, 532, 538, 546, 552
Armstrong, Polly, act for benefit of heirs, &c., of 227, 256, 303, 409, 554
Arnold, James H., petition of 317
act for change of venue to 330, 427, 462, 547
Arson, a bill further to define the crime of, in a slave 122
Arterberry, Ezekiel, petition of 54
act for his benefit 460, 466, 505, 558
Assemblies, religious, a bill to protect 68, 114
Assembly, General, resolution to fix a day for the to adjourn 61, 182, 317, 325, 346, 425
resolution rescinding resolution for the to adjourn. 497, 498, 508, 537
adjournment of, sine die 560
Asylum, Lunatic, annual report of Directors of the 159
—for Report see Legislative Documents.
resolution to appoint committee to visit and examine 61,79, 83, 112, 120
committee appointed 112
report of committee on the 525
a bill for settlement of accounts of the, at Lexington 502, 528, 533, 535, 540, 551
Second Kentucky, report of Commissioners of the 140, 141, 194
—see Legislative Documents.
a bill further to provide for the erection of the 162, 285, 285, 338, 457, 505, 557
Atchison, Jesse F., act for benefit of, and others 200, 251, 287, 349
Atterberry, Delia, petition of 54, 94, 124
Athenian Light Infantry, act for benefit of 306, 522, 528, 546, 552
Auditors and Treasurer, act concerning the 276, 338, 507
Auditors' and Treasurer's offices, act to transcribe books in the 305, 338, 507, 530, 558
Auditor, First, annual report of the 62
—see Legislative Documents.
communication from the, enclosing list of bonds burned 84
for list of Bonds—see Legislative Documents.
response of, to resolutions 208, 227, 228

Auditor, Second, annual report of the 44
—see Legislative Documents.
resolution calling on for information 124
response of, to resolutions 133, 134
Augusta College, petitions praying repeal of the charter of 43, 52, 53, 54, 55, 61, 179, 543
act to repeal charter of 305, 419, 500, 547
memorial of Trustees of 223
act supplemental to act to repeal charter of 428, 467, 501, 505, 557
Augusta, Cynthiana and Georgetown Turnpike—see Turnpikes.

Back, Isaac, a bill for his benefit 196, 444
Baker, David E. and Lucinda, act for benefit of 154, 169, 188, 232, 314
Baker, David E. and Lucinda, petition of 82, 103, 127
Baker, William, petition of 276
Bank, Covington, a bill, to charter the 180, 213, 242
Farmers' of Kentucky, act to charter the 337, 341, 509, 519, 520, 532
Maysville, a bill to charter the 160
Banking Capital, resolutions in relation to an increase in 317
Bank Notes, act to repeal an act prohibiting the circulation of smaller than $5 140, 168, 509, 529, 559
Banks, committee on, appointed 72
report of committeee on 463
—see Legislative Documents.
Banton, Andrew J., petition of 29
a bill for his benefit 63, 274, 285, 286, 307
Baptist Church—see Church.
Barbour, Mrs. Martha I., letter of 309
Barbourville—see Towns.
Bardstown and Green River Turnpike—see Turnpikes.
Bardstown Cemetery Company, act incorporating 120, 201, 215, 288, 308
Barker Lodge, act to incorporate 159, 201, 214, 287, 348
Barkhouser, Aaron, petition of 127
Barlow, John S., nominated for Speaker 8
votes for 8, 9, 11
withdrawn 11
Barnes, Sidney M., appeared and took his seat 10
Barton, Young, petition of 166
Bartrum, James, act for benefit of 126, 167, 279, 336, 553
Barren county, petition of citizens of 450
Barren River Navigation and Manufacturing Company, act for the benefit of the 305, 339, 409, 554
Barre, Thomas H. and Ellen, petition of 207
Basler, N. J., petition of 286
Bassett, Elbridge G., nominated for Speaker 21
votes for 21, 22
withdrawn 23
Bassett, E. G. leave of absence granted to 162
Bath Circuit Court—see Courts, Circuit.

Bath county, petition of citizens of 126, 126, 126, 126, 194, 207, 223, 533
Bath Seminary, act for benefit of 200, 243, 287, 308
Beall, Ben. D., act for benefit of 419, 465, 505, 557
Beaver Dam Pond Draining Company, an act to incorporate the 124, 146, 149, 156, 178
Beazley, Hiram, a bill for benefit of 49, 124, 144, 161, 226
Begley, Hiram, a bill for his benefit 236, 307, 407, 429, 447
Begley, John, a bill for his benefit 292
Bell, Nancy, act to divorce 330, 339, 443, 463, 556
Bennett, Bethaniah, act for benefit of 277, 294, 427, 500, 549
Bethlehem Baptist Church—see Church.
Bethell, William, a bill for benefit of 78, 163, 185
Bibb, Henry G., appeared and took his seat 10
Big Mud Creek, act declaring navigable 236, 293, 395, 429, 447
Big Sandy and Owingsville Turnpike—see Turnpikes.
Big Sandy river, a bill to improve the downward navigation of 122
Big Sandy Turnpike—see Turnpikes.
Bileter, Amanda, act for benefit of 146, 169 204, 232, 314
Bileter, Samuel, act to divorce 460, 466, 505, 558
Bishop, Henry R., act to divorce, 153, 257, 287, 349
petition of 43
Bishop, Wm. A., petion of 54
a bill to divorce 441, 495, 541, 551
Blackford creek, act declaring navigable 305, 339, 508, 529, 559
Blackwell, William Wallace, act for benefit of, and others 260, 337, 409, 554
Blaine, Samuel L., petition of 193
Blair, William, act for benefit of 163, 202, 232, 269
petition of 111
Bland, Warrenton S., act for benefit of 215, 255, 303, 336, 353
Bledsoe, J. S., leave of absence granted to 284
added to committee on education 189
Blewett, Nancy C., a bill for benefit of 502, 521, 545, 552
petition of 207
Blue, Rolla, act for benefit of devisees of 208, 255, 302, 336, 553
Board, H. L., petition of 166
a bill for his benefit 201, 426
Board of Commissioners of the Sinking Fund, act to prescribe the duties of the 509, 529, 559
annual report of
—for report see Legislative Documents.
Board of Internal Improvement, annual report of the 63
—for report see Legislative Documents.
resolutions calling on, for information 56, 57, 58, 76
responses of, to resolutions 84, 91, 92, 142, 190, 194, 217, 271, 320
supplemental report of the 187, 217
act authorizing to settle with J. R. Skiles 313, 315, 330, 409, 554

Board of Internal Improvement of Lincoln county, a bill for benefit of 315, 330, 407, 429, 447
Boards of Physicians, a bill to establish, &c. 161
Boiscourt, Samuel L., petition of 286
Bond of the State Treasurer, act prescribing the mode of taking the 420
Bonds of Executive officers, a bill to provide for recording the 315
Bonds, State, act to cancel, surrender and burn 508, 540, 546, 552
Boner and Klyng, petition of 82
resolutions in relation to map by 262, 297, 335, 551
Boner, William, petition of 91
act for benefit of 114, 139, 157, 177, 178
Bon Harbor Mining and Manufacturing Company, act for benefit of the, &c. 297, 297, 338, 338, 430, 555
Boone County Court—see Courts, County.
Boone county—see Constable's District.
Boone Monumental Association, act to incorporate 159, 201, 214, 287, 348
Booker, Ann, petition of 286
act to divorce 428, 447
Boswell, Albert A., petition of 43, 88
act for benefit of 113, 146, 157, 177, 178
Boulton, George, a bill for his benefit 184, 189, 304, 335, 446
petition of 91, 184
Boulton, Uriah, petition of 110, 184, 209
Bourbon County Agricultural Society, an act for the benefit of the 146, 168, 262, 288, 344
Bourbon County Court—see Courts, County.
Bourbon county, petition of citizens of 126, 223, 251, 277, 533
Bourbon county—see Sheriffs.
Bowlinggreen and Franklin Turnpike—see Turnpikes.
Bowlinggreen and Tennessee Line Turnpike—see Turnpikes.
Bowlinggreen—see Towns.
Bowlinggreen Thespian Society, petition of 186
a bill to incorporate 202, 426, 500, 548
Bowman, Edward S., act for benefit of 171, 254, 443, 463, 556
Boyle County Court—see Courts, County.
Boyle county, petition of citizens of 171, 314
—see Constable's District.
Bracken County Court—see Courts, County.
Bracken county, petition of citizens of 299
Branham, Benjamin O., nominated for Door Keeper 24
votes for 24, 25
dropped 25
Braugh, Henry S., petition of 52
Breathitt and Perry counties, bill to run line between 159, 496, 535, 550
Breckinridge County Court—see Courts, County.
Breckinridge county—see Election Precincts.
Breckinridge, Rev. R. J., use of Hall tendered to 178
Breeding, James and Geo. W., petition of 54, 94
Brewer and Cowan, petition of 151
a bill for benefit of 214, 217

Bridge at Falmouth, a bill to amend act to establish 277, 294, 407, 501, 548
Bridge Company, Clark's River, act incorporating the 305, 338, 429, 555
Kinnicanick, act to incorporate the 58, 122, 163, 171, 231, 270
Munfordsville, act to amend the charter of the 298
Briggs, Sarah, petition of 172
Bris on, Reuben, act for his benefit 67, 144, 165, 183, 195
Brooklyn—see Towns.
Brooksville and Rock Spring Turnpike—see Turnpikes.
Brooks, Vincent, act for his benefit 419 , 465, 505, 557
Brown, Elisha, nominated for Door Keeper 24
votes for 24, 25, 26
allowed seat within the bar of the House 47
Brown, Geo. D., petition of 91, 112, 119
Brown, John C., act for benefit of 201, 259, 287, 307
Brown, John G., a bill to divorce 189, 304, 335, 447
petition of 54
Brown, Jonas, petition of 252
Brown, Mary H., petition of 91, 112, 119
Brown, Nicholas and Margaret, use of Hall tendered to 196
Buckman, C. M., petition of 250
act for benefit of, and others 300, 407, 500, 548
Buckman, E. P., petition of 102
Buckner, Richard A., nominated for Commissioner of the Lunatic Asylum 333
unanimously elected 333
Buckner, Wm., act for benefit of estate of 94, 117, 143, 162
Buckner, Willis, petition of 29
Bullitt county, petition of citizens of 43, 52, 110, 147, 277, 315, 396
—see Election Precincts.
Burden, Susan, act to divorce 460, 466, 505, 558
Burge, B. B. and Priscilla, petition of 298
Burks, Benjamin, petition of 250
Burlington and Dry Creek—see Turnpikes.
Burlington and Petersburg Turnpike—see Turnpikes.
Burlington—see Towns.
Burns, William, act for his benefit 126, 167, 302, 336, 553
Burriss, Louisa, act for benefit of 504, 509, 528, 545, 551
petition of 227
Bussy, Henry, S., act for benefit of 297, 338
Butler County Court—see Courts, County.
Butler county, petition of citizens of 83
—see Election Precincts.
Butler, Nathan, petition of 207
act for his benefit 280, 426, 499, 548
Butler, Thomas L., leave of absence granted to 56
Byles, James, act for benefit of 185, 254, 279, 336, 553

Caldwell and Crittenden, act to mark line between 171, 254, 288, 314
Caldwell Circuit Court—see Courts, Circuit.

Caldwell, David I., act for benefit of, and wife and children 151, 168, 302, 336, 554
Caldwell, Randolph H., act for benefit of 92, 114, 132, 156, 177
Calloway county, petition of citizens of 277, 277
—see Constables.
—see Election Precincts.
Calmes, William, act for benefit of 109, 162, 185, 231, 269
Calvert, Sarah, a bill to divorce 189, 495, 541, 551
petition of 73
Campbell and Pendleton counties, a bill to run the line between 159, 441, 496, 535, 550
Campbell and Pendleton Turnpike—see Turnpikes.
Campbell Circuit Court—see Courts, Circuit.
Campbell county, act for benefit of 297, 397
petition of citizens of 186
—see Election Precincts.
—see Justices.
—see Sheriffs.
Campbell County Court—see Courts, County.
Campbell Turnpike—see Turnpikes.
Campbell, William R., nominated for Doorkeeper 24
votes for 24, 25, 26
elected 27
thanks of House returned to 544
Campbellsville—see Towns.
Canal Company, Louisville and Portland, annual report of the President and Directors of the 107
Candill, John, petition of 74
Cannon, Helen, petition of 43, 103
a bill for her benefit 103, 146, 156, 177
Capital punishment, a bill to abolish 160
Cargill, James R., petition of 53, 112
Carlisle and Sharpsburg Turnpike—see Turnpikes.
Carlisle—see Towns.
Carnahan, Eliza C., petition of 154
Carnahan, Wm. C., a bill to divorce, and others 441, 495, 541, 549
Carnahan, Wm. C., petition of 62
Carneal, Addison, petition of 147
act for benefit of 280, 426, 499, 548
Carneal, Elijah, petition of 298
Carpenter, Margaret B., an act for benefit of 193, 255, 302, 409, 554
Carpenter, Mary Ann, petition of 52
a bill to divorce 205, 304, 335, 447
Carter county, petition of citizens of 181
—see Justices.
Carter, Miriam E., an act for his benefit 83, 89, 302, 335, 553
Carr, John, a lunatic, a bill for his benefit 144, 165, 233, 296, 342, 428, 447
Carr, Mary R., petition of 123, 223
Carroll county, petition of citizens of 186
Carroll, John, act to divorce 114, 206, 231, 308

Carroll, John Jr., petition of 43, 103
Carrollton—see Towns.
Casseday, S., petition of 276
Casey county, act for benefit of School Commissioners of 67, 162, 202, 232, 236, 269, 295
Casey county, petition of citizens of 52
Catching, Benjamin, a bill for his benefit 160
Caudle, John, act for benefit of 128, 153, 232, 269
Cecil, William, act for benefit of 146, 168, 329, 337, 553
Cemetery Company, act to incorporate the 120, 201, 215, 288, 308
Henderson, act to incorporate 78, 163, 185, 257, 287, 348
Lexington, act to incorporate 243, 256, 288, 314
Maysville, act to incorporate 165, 169, 305, 338, 348, 429, 555
Chancery Practice, a bill to modify and amend 59, 114, 145, 165
Chapman, Maria, act to divorce 114, 153, 232, 308
petition of 55, 113
Chenault, Waller, added to committee on Education 189
leave of absence granted to 216
Chiles, John G., petition of 204
a bill for the benefit of 247, 270, 274
Chiles, William and John, act for benefit of 460, 466, 505, 558
Chosen Friends Lodge, petition of committee of 396
Christian Church—see Church.
Christian Circuit Court—see Courts, Circuit.
Christian county, petition of citizens of 126, 154, 166
Church, Baptist, at Dripping Spring, petition 259
Bethlehem Baptist, petition of 166
Bethlehem Baptist, act incorporating the 189, 214, 287, 349
Christian, on Mill creek, act to incorporate the 244, 502, 528, 546, 552
Cumberland Presbyterian, in Henderson, petition of 166
Cumberland Presbyterian, in Henderson, act for benefit of 189, 214, 287, 308
Dripping Spring Regular Baptist, act to incorporate the 293, 495, 535, 550
First Presbyterian, in Shelbyville, act for benefit of the 216, 246, 305, 335, 445
Grace, at Paducah, a bill to incorporate vestry of 206, 441, 496 535, 551
Harmony, in Garrard county, act to incorporate the 410, 495, 541, 549
Methodist Episcopal, South, in Floydsburg, act for benefit of the parsonage of 216, 246, 305, 335, 445
Methodist Episcopal, in Mt. Sterling, act to allow to sell lot 314, 339, 430, 555
Mount Tabor, a bill for the benefit of Trustees of the 196
North Benson Baptist, a bill for benefit of 307, 495, 534, 549
Cissell, Ben. P., a bill for benefit of, &c. 245

Cities and Towns, a bill concerning tavern licenses in the several 313, 339, 507, 530, 558
Citizens over forty five, a bill to exempt from working on the public roads, 48
Claims, committee on, appointed 69
instructed 334
Clarke county, petition of citizens of 251
Clarke county—see Election Precincts.
Clarke, James, act for benefit of 59, 64, 90, 111, 120
Clark's Run and Salt River Turnpike—see Turnpikes.
Clay and Laurel, an act to change lines between 280, 426, 462, 547
Clay Circuit Court—see Courts, Circuit.
Clay County Court—see Courts, County.
Clay county—see Election Precincts.
Clay, Henry, nominated for Senator in Congress 221
votes for 221, 222
joint votes for 222
elected U. S. Senator 222
Clay, Nathan, petition of, and others 43
Clayvillage—see Towns.
Clerks, a bill to authorize to issue subpoena duces tecum 236
a bill to regulate fees of 236
Clouch, Cyrenius, a bill for his benefit 160
Cobb, William, act for benefit of 61, 65, 93, 110
Coffee House Keepers, act taxing, &c. 236, 528, 546, 552
Coffey, Benjamin F., petition of 186
Coffey, Chrisley, petition of 258
Cogle, Peter, petition of 409
Cole, C. C., allowed a seat within the bar 47
thanks of House returned to 554
Cole, John, petition of 166
College, Augusta, petitions for repeal of charter of 43, 52, 53, 54, 55, 61, 179, 543
memorial of Trustees of 223
act to repeal charter of 305, 419, 500, 547
act supplemental to act to repeal charter of 428, 467, 501, 505, 557
College, Covington Commercial, a bill to incorporate the 197, 252, 296, 334, 446
Louisville Commercial, a bill to incorporate the 245, 296, 334, 446
Kentucky of Medicine and Surgery, a bill to incorporate the 218, 323, 331, 495
report of minority of committee of Education on 218
Shelbyville Female, act to incorporate 243, 256, 395, 451, 556
Collins, James, appeared and took his seat 63
Columbus—see Towns.
Colwell, Hardy, petition of 215
Combs, Edwin, act for benefit of, &c. 99, 132, 156, 177
Combs, Leslie, an act for the benefit of 90, 105, 158, 180
Comingo, Phebe Ann, act to change name of 75, 83, 111, 120

Commins, Jacob, a bill for benefit of heirs of 77
Commissioners of Deeds, a bill to amend the law in relation to the appointment of 122, 183, 206, 231, 270
Commissioners of Sinking Fund, Board of, act to prescribe the duties of the 509, 529, 559
Commissioners on Bowlinggreen and Salt River road, a bill to pay the 47, 55, 88, 213, 296, 342, 428, 447
Commissioners to settle with Treasurer, report of 63
—see Legislative Documents.
Committees, Standing, appointed—
on Agriculture and Manufactures 71
on Banks 72
on Claims 69
on Courts of Justice 69
on Education 70
on Enrollments 73
on Expenditures of Board of Internal Improvement 71
on Federal Relations 72
on Internal Improvement 70
on Judiciary 69, 70
on Library 72
on Military Affairs 71
on Penitentiary 71
on Privileges and Elections 69
on Propositions and Grievances 69
on Public Offices 72
on Public Printing 72
on Religion 70
on Sinking Fund 71
on Ways and Means 70
Common Schools, a bill to levy a tax of 2 cents on each $100 worth of property, for the benefit of 128, 189, 274, 282, 284, 329, 334, 378, 379, 387, 388, 390, 391, 392, 393, 394, 399, 411, 413, 420
a bill to reduce into one the several acts concerning, and to establish a system of, more permanently 224, 274
an act for benefit of 421, 427, 449, 460, 500, 549
resolutions in relation to a system of 250
an act in aid of 464, 465
an act concerning 460, 464, 466, 499, 500, 549, 556
Compton, Wm. and Sarah, act for benefit of 214, 255, 302, 337, 553
Conklin, Wm. L., appeared and took his seat 10
Constable's District, in Boyle, act to establish 200, 226, 287, 308
in Todd, a bill to enlarge 48, 55, 79, 111, 120, 160, 202, 227, 287, 348
Constables, in Calloway, act to allow 343, 429, 447
in Cumberland, act to allow 330, 427, 462, 547
in Green, act to allow 246, 296, 301, 308
in Hardin, act to allow 197, 307, 427, 462, 547
in Hart, act to allow 92, 124, 151, 156, 177

Constables, in Henry, act to allow 330, 427, 462, 547
in Larue, act to allow 245, 305, 334, 445
in Shelby, act to allow 246, 305, 343, 429, 447
in Taylor, act to allow 68, 75, 83, 112, 119
Constitution of Kentucky, resolution to print 50,000 copies of the 60
resolution to print 60,000 copies of the 76, 81 109, 119, 123
Convention, a bill to provide for the election of Delegates to the, to amend the Constitution 30, 75, 79, 89, 90, 95, 110, 119, 147
resolution for appointment of Reporters for the 205, 232, 271
resolution requesting to submit Constitution to people 232, 270
Conveyances, an act concerning, by married women 192, 255, 405, 429, 555
Conway, Peter, an act for the benefit of 110, 112, 205, 232, 271
Cooms, Dennis D., a bill for his benefit 59, 63, 90
Cooper, Malachi, petition of 52
Coppage, Uriah, a bill for his benefit 298, 522, 540, 546, 552
Coroners, act to authorize to convey lands, &c. 271, 337, 503, 529, 558
Coulon, George, act for benefit of 146, 168, 204, 232, 314
County Treasurers, act concerning compensation of and settlement with 77, 114, 139, 157, 177
Court, General, an act limiting the jurisdiction of the 79, 89, 143, 182, 189, 194, 195, 502, 508, 529, 559
Courts, Circuit, Allen, act to convey papers from to Butler 165, 169
Anderson, act to change time of 297, 340, 406
Breckinridge, a bill for benefit of Clerk of 121, 204, 245, 333, 335, 446
Butler, a bill for benefit of Clerk of 49, 63, 90, 111, 120
Butler, act to convey papers from Allen to 165, 169
Caldwell, act for benefit of Clerk of 395, 465, 505, 557
Campbell, act to restore middle term of 314, 339, 409, 555
Christian, act to change time of 77, 124, 243, 287, 349
Clay, act to change time of 140, 168, 397, 398, 430, 555
Cumberland, a bill to add a term to the 196, 307, 427, 463, 547
Estill, a bill to add a term to the 196, 506, 521, 529, 558
Fleming, act to restore summer term to 73, 78, 93, 110
Fleming, act to change time of 140, 168, 397, 398, 430, 555
Franklin, act to change time of, &c. 297, 340, 406, 464, 505, 557
Garrard, act to change time of 67, 124, 426
Garrard, act to correct omission of Clerk of 171, 179, 182, 193
Greenup, act allowing a term to the 307, 428, 464, 534, 549

Courts, Circuit, Hopkins, act to change time of 317, 341, 395, 410, 430, 555
Kenton, a bill to change place of holding the 216, 241, 307, 428, 464
Lewis, a bill to allow a term to 408
Livingston, a bill for benefit of the 244, 294
Logan, act to repair the books of the 305, 338, 507, 529, 559
Marshall, act for benefit of Clerk of 139, 140, 167, 168, 303, 348, 409, 429, 554, 555
Morgan, act to extend the terms of 183, 207, 231, 269
Nicholas, act in relation to the 73, 78, 92, 110
Pendleton, act for benefit of Clerk of 216, 307, 407, 429, 447
Courts, County, a bill giving appellate jurisdiction to the 49
a bill defining pay of Clerks of, &c. 196
Bath, petition of the 154
Boone, act for benefit of Clerk of 148, 168, 182, 193
Boyle, a bill to allow to subscribe for road stock 67, 124 213, 275, 334, 446
Boyle, a bill to restore power to grant license in Danville 47
Bracken, act allowing to lay levy in Janury, February or March 121, 162, 202, 232, 269
Breckinridge, act for benefit of Clerk of 204, 245, 313, 335, 446
Butler, act to allow to apply proceeds of lands 292
Butler, act allowing to change a road 236, 294, 407, 500, 548
Campbell, act to allow to appoint a Justice to grant injunctions 121, 183, 206, 231, 270
Campbell, a bill for benefit of the 496, 541, 551
Clay, act to allow the to appoint a road Commissioner 305, 343
Estill, a bill to change time of 48, 99, 126, 157, 178
Estill, a bill to legalize proceedings of 241, 313, 335, 446
Fayette, a bill allowing to take railroad stock 347, 408, 429, 447
Fleming, a bill allowing to take road stock 59, 75, 83, 111, 120
Floyd, act to allow to apply vacant lands 292
Greenup, a bill to authorize to establish a ferry 88, 172, 181
Hart, act to allow to appoint a Constable 92, 124, 151, 156, 177
Hart, act authorizing to establish a road 294, 407, 501, 548
Johnson, act allowing to sell public square 236, 294, 427, 500, 548
Laurel, act allowing to appoint road overseers 305, 343
Lewis, act to allow to appropriate vacant lands 160, 201, 213, 285, 334, 446

Courts, County, Lincoln, a bill to allow to take road stock 67, 125, 213, 275, 334, 446
Logan, act to repair books of the 305, 338, 507, 529, 559
Marshall, act for benefit of Clerk of 139, 140, 167, 168, 303, 348, 429, 554, 555
Marshall, act allowing to change a road 395, 455, 465, 505, 557
Mason, petition of the 179
Mason, act allowing to appropriate road tax 125, 133, 157, 178
McCracken, a bill for benefit of the 397, 496, 534, 550
Muhlenburg, act for benefit of Clerk of 117, 167, 182, 193
Pendleton, a bill for benefit of Clerk of 216, 307, 407, 429, 447
Pike, a bill allowing to appropriate vacant lands 67, 75, 117, 143, 162
Scott, a bill allowing to take road stock 68
Courts of Justice, committee on, appointed 69
instructed 47, 68, 122, 123, 156, 212, 244
Covington and Dry Creek Turnpike—see Turnpikes.
Covington and Lexington Turnpike—see Turnpikes.
Covington Bank—see Bank.
Covington Gas Light Company, act to incorporate 270, 337, 343, 503
Covington—see Towns.
Cowen, James, a bill for benefit of heirs of 212, 270, 287, 348
Cowen, John, act to divorce 114, 206, 231, 308
Cowan, Levi, a bill for his benefit, and others 214
Cox, Catharine, a bill for her benefit 161
Cox, John, petition of 73, 172
Cox, John and Nancy S., a bill to divorce 189, 329, 428, 447
Cox, Mary Ann, petition of 276
Crab Orchard and Cumberland Gap Turnpike—see Turnpikes.
Crab Orchard—see Towns.
Crane, John M., a bill to divorce 205, 304, 334, 446
petition of 102
Craycraft, Philip F., act for benefit of 295, 427, 465, 547
petition of 74, 183
Creelsburg—see Towns.
Crenshaw, B. Mills, act for benefit of 126, 167, 301, 329, 336, 554
Crittenden county—see Sheriffs.
Crowder, Thomas, act for his benefit 140, 168, 504, 530, 558
Crowdus, Julia E., petition of 77, 112
a bill for her benefit 112, 134, 165, 257, 287, 349
Crump, B. B., nominated for Treasurer 172
votes for 173, 174
joint votes for 173, 174
Crutchfield, Elisha, act for his benefit 271, 337, 532, 551
Cumberland Circuit Court—see Courts, Circuit.

Cumberland county, a bill for benefit of a school district in 159
petition of citizens of 74
—see Sheriffs.
Cumberland Hospital, annual report of the Trustees of 148
Cumberland Presbyterian Church—see Church.
Cumberland river, act to improve, &c. 297, 338, 508, 529, 559
resolution concerning falls of 540
Cumberland River, Fair View and Green River Turnpike—see Turnpikes.
Cunningham, John, act for benefit of 140, 168, 504, 530, 558
Cynthiana and Covington Turnpike—see Turnpikes.
Cynthiana and Millersburg Turnpike—see Turnpikes.
Cynthiana and Williamstown Turnpike—see Turnpikes.
Cynthiana—see Towns.

Daniel, A. C., act for his benefit 294, 411, 496, 535, 551
Danville and Perryville Turnpike—see Turnpikes.
Danville, remonstrance of citizens of 91
remonstrance of Trustees of 91
a bill to amend the charter of 105, 134, 135, 214
petition of citizens of 102
Davidson, James, (late Treasurer,) report of 44
—for report see Legislative Documents.
memorial of 152
—see Legislative Documents.
report of Chairman of committee in relation to the supposed defalcation of 469
report of members of committee 475
evidence, &c., taken before committee 476 to 494
Davidson, Orman M., petition of 166, 300
Daviess, William, nominated for Speaker 11
votes for 11, 12, 13
withdrawn 15
Davis, James W., nominated for Speaker 13
votes for 14, 15
withdrawn 13
Davis, Jonathan, appeared and took his seat 10
Davis, R. M., an act for his benefit 185, 188, 259, 269, 285
Davis, Singleton G., act for benefit of heirs of 140, 168, 182, 193
Days' work, a bill fixing ten hours as the legal time for a 244
Dean, John, petition of 52
Debtors, absconding, a bill to regulate the service of process on 60
DeCourcey, Marcella G. and Elizabeth S., act for their benefit 223
Deeds, a bill to amend the law in relation to acknowledging 160
Delegates to the Convention, a bill to provide for electing 30
Demosthenian Society of Drake's creek, a bill to incorporate the 197
Depositions, a bill regulating the taking of 47
Devore, A. B., petition of 286
Dews, Samuel, petition of 61
act for benefit of 128, 165, 232, 269

Districts, Judicial, a bill allowing Judge of 16th, further time to move into his district 215, 255, 303, 336, 553
a bill to add Meade county to the 13th 120
a bill to change courts in the 19th 159
Divorces, a bill regulating the granting of 49, 99
Dixon, Thomas K., petition of 251
Doan and Gracy Fund, act to amend charter 271, 337, 409, 554
Dodds, Rufus P., petition of 166
act for his benefit 280, 426, 499, 548
Dolan, Hannah, act to divorce 153, 169, 204, 232, 314
Dolan, Michael, act for benefit of 497, 535
Doss, John, act for benefit of 73, 78, 93, 110
Dougherty, Nathaniel, petition of 111, 184
Dower, a bill to amend the laws of relinquishment of 160
Dower right, a bill to amend law in relation to the acknowledgment of 306
Drane, James F., act for his benefit 113, 139, 156, 177
petition of 53
Dried fruits, a bill regulating the sale of 197
Dripping Spring Church—see Church.
Duck, Mary, act to divorce 460, 466, 504, 558
Duddy, Jane, act for benefit of 140, 168, 443, 463, 556
Dudley, Peter, (Treasurer) report of 57, 108
—see Legislative Documents.
communication of 180
resolution to settle with 330, 499, 559
Duelling law, a bill to amend the 30, 55, 79, 111, 120
Duffey, George W., petition of 317
Duley, Hiram, a bill for benefit of heirs of 298, 397, 501, 541, 550
Duncan, Mary C., act to divorce 207, 255, 443, 463, 556
Dunnell, Sarah Ann, petition of 120
Dunn, George, a bill for his benefit 159, 210, 260, 287, 348
Dunnington, Louisa, act for benefit of heirs of 193, 255, 303, 338, 553
Dupuy, Henrietta, act to divorce 305, 338, 443, 495, 499, 558
Durham, Eliza, act to change name of, and others 75, 83, 111, 120
Durham, Eliza Jane, a bill for her benefit 58
Durham, Jonas, act for his benefit 114, 132, 157, 177, 178
petition of 62
Durritt, Henry, a bill for the benefit of the heirs of 196, 241, 313, 335, 445
Durrett, Sarah Ann, petition of 53, 99
Duvall, Wm. P., leave of absence granted to 181

Eagle Manufacturing Company, a bill to incorporate the 197, 269, 317, 429, 447
East Maysville—see Towns.
Eden, Mary, a bill to change the name of, to Wilkerson 49, 102, 105, 158, 180
Edmonson, Joseph, petition of 251
Edmonson, Thomas, a bill to divorce 197, 502, 521, 545, 551

Education, committee on, appointed 70
instructed 46, 57, 58, 156, 198
report of minority of the committee on 218
Ejectment, a bill regulating actions of 58
Election Precincts, acts concerning, &c., in the following counties, viz:
Allen 159, 200, 226, 287, 349
Breckinridge 408, 465, 504, 557
Bullitt 293, 407, 500, 548
Butler 121, 163, 192, 231, 269
Calloway 293, 407, 500, 548
Campbell 120, 121, 144, 165, 257, 287, 307
Casey 118, 167, 182, 193
Clarke 67, 294, 407, 500, 548
Clay 120, 121, 144, 165, 257, 287, 307, 449, 467, 467
Fleming 120, 121, 144, 165, 257, 287, 307
Floyd 59, 63, 82, 112, 120
Garrard 48, 105, 126, 257, 286, 307
Greenup 48, 105, 126, 257, 286, 307
Hardin 227, 256
Hart 407, 500, 548
Henderson 407, 500, 548
Henry 237, 294, 495
Hopkins 105, 126, 257, 286, 307
Knox 227, 256, 300, 336, 553
Laurel 300, 407, 548
Larue 105, 126, 160, 257, 286, 300, 307, 407
Livingston 48, 105, 126, 257, 286, 307
Logan 271, 340, 448, 495, 557
Madison 120, 121, 144, 165, 257, 287, 307
Mason 197, 325, 407, 429, 447
Mercer 105, 126, 257, 286, 307
Oldham 343, 449, 500, 548
Perry 120, 121, 144, 165, 257, 287, 307
Pulaski 163, 192, 231, 269, 335, 445
Rockcastle 227, 256, 300, 336, 553
Shelby 449, 467
Taylor 105, 126, 160, 257, 286, 300, 307, 407, 548
Warren 48, 56, 73, 80, 98
Wayne 102, 106, 117, 158, 180
Elections, a bill to regulate, &c. 160
Elizabethtown—see Towns.
Elizaville and Helena Turnpike—see Turnpikes.
Elliott, Professor, use of Hall granted to 116, 145
Elston, John, petition of 276
a bill to divorce, and Elizabeth Elston 502, 521, 546, 552
Emancipation, resolutions in relation to 242, 246, 247, 249
Emberton, Allie, act to divorce 317, 339, 503, 529, 558
Enrollments, committee on, appointed 73
committee on, added to 501
Erwin, Jeptha B. and Sarah Ann, act to divorce, &c. 502, 521, 540, 545, 551
petition of 186

Esculapian Mineral Spring Hotel Company, an act to incorporate the 90, 105, 143, 183, 193
Estates, a bill to regulate the administration and settlement of 131, 163
Estates of deceased persons, act to protect 275, 337, 503, 530, 558
Estill Circuit Court—see Courts, Circuit.
Estill County Court—see Courts, County.
Estill county, petition of citizens of 133
Estill county—see Sheriffs.
Estill, Peter, a bill for benefit of 49, 55, 73, 80, 98
Eubank, J., a bill for his benefit 315, 330, 427, 462, 547
Evanics, Oriental Order of, a bill to incorporate the Grand Lodge of the 1001 244
Evans, Wilson, act for his benefit 428, 465, 499, 557
Everett, F. G., act for benefit of 276, 338
petition of 133, 212, 241
Everett, John J., act for his benefit 59, 64, 79, 111, 120
Eversole, John and Nancy, act to divorce 128, 153, 232, 308
petition of 74
Ewell, Ann E., a bill for benefit of, &c. 298
Exchanges, International, report of Alexandre Vattemare in relation to 349, 350
Execution, a bill to exempt additional property from 68, 121, 152, 163
Executive offices, act in relation to the 154, 169, 299, 299, 315, 329, 329, 335, 553
Expenditures of Board of Internal Improvement, committee on, appointed 71

Fairbairn, Anne A., act to divorce 227, 256, 504, 530, 558
Falmouth Bridge—see Bridge.
Farmers' Bank of Kentucky—see Bank.
Fayette county, act to amend patrol laws of 146, 168, 303, 337, 553
Fayette County Court—see Courts, County.
Federal Relations, committee on, appointed 72
report of committee on 535
Fees of Clerks, a bill to regulate 236
Fees of Justices, a bill in relation to 244, 398
Feliciana—see Towns.
Fible, John, act for benefit of 146, 168, 301, 336, 553
Finley, James, act for his benefit 203, 255
Finnie, George W., a bill for his benefit 201, 226, 244, 296, 334, 446
petition of 181
First Presbyterian Church in Shelbyville—see Church.
Fire Company, Franklin, No. 2, of Covington, act to incorporate the 292, 325
First Auditor, annual report of the 62
—for report, see Legislative Documents.
Fish, act to prevent destruction of, in Little Kentucky river 218, 407, 411, 419, 464, 541, 550
Fishing, unlawful, act to prevent, in Fox and Triplett creeks 522, 540, 546, 552
Fish, Lucinda, act to divorce 460, 466, 504, 558
Flat Boats, a bill to exempt from toll on Green and Barren rivers 59

Flat Lick Seminary—see Seminary.
Fleming Circuit Court—see Courts, Circuit.
Fleming County Court—see Courts, County.
Fleming county, petition of citizens of 61, 91, 110, 193, 215, 425
Fleming county—see Election Precincts.
Fleming, David, a bill to divorce, and others 502, 521, 545, 551
petition of 186
Flemingsburg and Mount Carmel Turnpike—see Turnpikes.
Fletcher, R. G., act for benefit of 73, 78, 93, 110
Floyd Circuit Court—see Courts, Circuit.
Floyd County Court—see Courts, County.
Floyd county, petition of citizens of 133, 278, 286, 286
a bill to declare certain streams in, navigable 122, 162, 212
275, 342, 428, 447
Floyd county—see Election Precincts.
Floyd, Lawrence and Pike counties, act to run and mark the lines between 159, 201, 226, 288, 349
Floyd, William, petition of 186
Forbes, Nancy, act to divorce 154, 169, 504, 530, 548
Forcible entry and detainer, a bill to amend laws in relation to 49, 64
Ford, James, a bill for his benefit, and others 125, 218, 305, 335, 446
Fowler, Sarah S., act for her benefit 215, 255
Fox and Triplett creeks, act to prevent unlawful fishing in 522, 540, 546, 552
Fraim, John M., act for his benefit 146, 168, 279, 296, 336, 553
Frankfort—see Towns.
Franklin Circuit Court—see Courts, Circuit.
Franklin county, petition of citizens of 151, 192
Franklin Fire Company of Covington, act to charter 427, 500, 549
Franks, James D., petition of 74
a bill for his benefit 441, 495, 541, 551
Franks, Joseph, and others, a bill changing names of 78, 124, 139, 156, 177, 178
Frazier, Margaret, a bill to divorce, and others 502, 521, 546, 552
petition of 179
Friends of temperance, use of Hall granted to 206
Friends of constitutional reform, use of Hall granted to 249
Frisler, Martha, a bill to change name of 320, 330, 427, 500, 548
Fruits, dried, a bill to regulate the sale of 197
Fry, Christopher, act for the benefit of the widow and children of 419, 444, 505, 557
Fry, George, act for benefit of widow and heirs of 260, 337, 430, 555
Fugate, Martin, a bill for benefit of 59, 64, 98, 117, 143, 162

Gaines, Aletha G., petition of 204
Gaines, Benjamin R., remonstrance of 208
petition of, and wife 215
a bill divorcing, and wife 240, 305, 334, 445
Gambling, a bill to amend the law to suppress 122
Gardner, Allen, petition of 127
Gardner, Asa B. and Jane, petition of 52
a bill for the benefit of 100, 126, 157, 177, 178

Garrard Banner, act to declare a public Newspaper 126, 167, 183, 193
Garrard Circuit Court—see Courts, Circuit.
Garrard county, petition of citizens of 344
Garrard county—see Election Precincts.
Garrard county Literary Association, a bill to incorporate the 224, 260, 287, 349
Garrard, Thomas L., act for benefit of 297, 338, 507
Gatewood, A. J., act for benefit of 196, 280, 395, 429, 447
Gatewood, James, a bill for benefit of 245
Gathright, William, a bill for his benefit 160, 205
Gatliffe, Jane, petition of 102, 184, 209
a bill for her benefit 395, 465, 505, 558
General Assembly, resolution to fix a day for the final adjournment of the 61, 182, 317, 325, 346, 425
adjournment of, sine die 560
resolution rescinding day for adjournment of 497, 498, 508, 537
Geological and Mineralogical Survey, a bill to provide for a 58, 125, 263, 299, 395, 464
George, Ira H. and William, a bill for benefit of 151, 168, 299, 315 316, 336, 553
Georgetown and Paris Turnpike—see Turnpikes.
Georgetown and South Elkhorn Turnpike—see Turnpikes.
German Jefferson Benevolent Society, act incorporating 397, 501, 541, 551
German Roman Catholic St. Boniface Society, act incorporating the 398, 501, 535
Germantown—see Towns.
Ghent—see Towns.
Gibson, William and Sarah Jane, act to divorce 460, 466, 505, 558
Giles, William, a bill for benefit of 120, 144, 185, 231, 269
Gilmore, Henry D. and Keziah, a bill for their benefit 120, 163, 226, 288, 349
Glasgow and Scottsville Turnpike—see Turnpikes.
Goble, Green V., an act for his benefit 110, 112, 302, 336, 553
Goldsberry, Zilla, act to divorce 133, 167, 204, 232, 314
Golladay, J. S., act for his benefit 152, 280, 426, 499, 548
Goodin, John, act for benefit of 200, 243, 287, 308
Goodin, Robert, an act for his benefit 90, 105, 158, 180
Goose Creek Turnpike—see Turnpikes.
Gordonsville—see Towns.
Gosney, Frederick, petition of 62, 300
Gough, Asa and Augustus, act for benefit of 73, 78, 93, 110
Gourley, James C., act to divorce 114, 206, 231, 308
petition of 61
Governor, annual message of the 30
committee to wait on, appointed 29, 560
resolutions referring message of, to committee 46
message of, enclosing report of Commissioners to settle accounts of J. Davidson, Treasurer 63
message of, enclosing report of Military Monument committee 182

Governor, message of, enclosing report of Commissioners to locate the 2nd Kentucky Lunatic Asylum 196
message of, covering correspondence between Gov. Owsley and Mrs. M. I. Barbour 308
message of, enclosing Monsieur A. Vattemare's system of International Exchanges 349
message of, enclosing resolutions from Tennessee 441
Gowdy, Francis, petition of 83
a bill for his benefit 104, 126, 143, 162
Grace Church—see Church.
Gracey, Wm., a bill for benefit of 278, 295
Gracy and Doan Fund, act to amend charter of 271, 337, 409, 554
Graham, Christopher, petition of 314
Grand Juries, a bill to provide for the attendance of witnesses before 236
Grand Lodge of Evanics of the 1001, act to incorporate the 244
Grant county—see Sheriffs.
Grant, Samuel W., act to change name of, and others 313, 339, 409, 554
Graves county, act for benefit of School Districts in 395, 425, 463, 499, 556, 557
Graves county—see Sheriffs.
Graves, Francis, petition of 74, 278
Gray, Joseph, elected Sergeant-at-Arms 24
allowed to employ his son for an assistant 46
thanks of House returned to 544
Grayson county, petition of citizens of 127
Great Crossings and Stamping Ground Turnpike—see Turnpikes.
Green and Larue County Turnpike—see Turnpikes.
Green and Taylor, act to change line between 280, 426
Green county, petition of citizens of 227
—see Constables.
—see Sheriffs.
Green, Elizabeth, petition of 166
a bill to divorce 502, 521, 541, 551
Green, John and Susan, petition of 94
Green, Louisa, act to divorce 129, 171, 231, 308
petition of 53
Green river, a bill to extend slackwater on 159
Greensburg and Brownfield Turnpike—see Turnpikes.
Greensburg—see Towns.
Greenup Circuit Court—see Courts, Circuit.
Greenup county, act to allow a road commissioner to 153, 232, 270
—see Election Precincts.
petition of citizens of 52, 53, 65, 91, 186, 193, 203, 207, 207
a bill to give a road commissioner to 67, 125
Greenupsburg—see Towns.
Greenville—see Towns.
Greenwade, John J. and Mary, act for their benefit 165, 169, 303, 409, 554
Greer, John, petition of, and others 54

Grey, Mary Ann, a bill to divorce, and others 502, 521, 540, 545, 551
Grider, James, petition of 298
Griffy, William, act for his benefit 297, 338, 443, 463, 556
Griffith, Wm. R., act for benefit of heirs of 185, 209, 303, 336, 553
Grissum, William, act to divorce 128, 153, 232, 308
petition of 74
Grosbeck, Herman J., nominated for Speaker 5
votes for 6, 6, 7, 8
withdrawn from nomination 8
leave of absence granted to 56
resignation of 98
Gunter, T., allowed seat in hall 47
Guy, Richard C., act to divorce 189, 207, 231, 308
petition of 103, 184
Gwyn, Lucretia, act for her benefit 347, 427, 463, 547
Gwyn, Mahala, a bill for her benefit 298

Hackney, Wilson, act for his benefit 113, 146, 157, 178
petition of 73
Hale, Elizabeth, Ellen and Ann Maria, act to change names of 502, 528, 546, 552
Hale, Maria, petition of 74
Haley, Edward, act for benefit of heirs of 297, 338, 430, 555
Hall, George McFarland, act for benefit of 419, 465, 499, 557
Hall, Michael, a bill for his benefit 160
Hall, Samuel, a bill to divorce 441, 496, 535, 549
Hamilton, Isham G., act for benefit of 140, 168, 182, 193
Hamilton—see Towns.
Hamilton Turnpike—see Turnpikes.
Hammond, Thomas W., act for benefit of 117, 167, 182, 193
Hammons, Mary A., petition of 186, 204
Hammons, Morton G. and Mary A., act for their benefit 460, 468, 505, 558
Hammons, Willis, petition of 83, 188
a bill for benefit of 188
act to divorce 189, 226, 288, 349
petition of 83
Hampton, Polly, petition of 133
Hardaway, Joseph, act for benefit of 73, 78, 93, 110
Hardin county, act to sell house of worship in 193, 255, 303, 336, 553
Hardin county, petition of citizens of 43, 55, 110, 173, 315, 396
remonstrance of citizens of 277
—see Constables.
—see Election Precincts.
Hardin, Jack, act for his benefit 126, 167, 301, 329, 336, 554
Hare, William, an act for the benefit of 79, 89, 279
Harlan county—see Sheriffs.
Harlan, Richard D., nominated for Librarian 176
votes for 176
joint votes for 177
elected Librarian 177

Harman, William, petition of 140
a bill for benefit of 300, 407, 500, 548
Harmony Church—see Church.
Harrald, Alexander and Harris, act for benefit of, &c. 99, 132, 156, 178
petition of 62
Harreld, Nelson, appeared and took his seat 10
Harris, Capt. Wm. S., resolution to attend funeral of 178, 232, 271
Harrison, Daniel H., appeared and took his seat 10
Harrison county, petition of citizens of 126, 344
Harrisonville—see Towns.
Harris, Solomon H., act for benefit of 73, 78, 88, 119, 147
Harrodsburg Springs Company, a bill to incorporate the 325, 427, 462, 500, 547
Harrodsburg—see Towns.
Hart County Court—see Courts, County.
Hart county, petition of citizens of 276
—see Election Precincts.
—see Sheriffs.
Hartford, petition of citizens of 49, 62
Hartford—see Towns.
Hart, William, act for benefit of 197, 260, 337, 507
Hart, William P., petition of 166
a bill for his benefit 183, 207, 231, 269
Havens, Conrad, act for his benefit 114, 139, 157, 178
petition of 62
Haun, James, act for benefit of 215, 256, 302, 336, 553
Hawes, John W., a bill for his benefit 59, 64, 90, 111, 120
Hawes, Richard, petition of 258
Hawesville—see Towns.
Hawthorn, Peggy, act for benefit of 342, 428, 447
Haydon, Jesse, appeared and took his seat 10
Haydon, Lucinda, act to divorce 128, 153, 232, 308
petition of 77
Hays, D. S., petition of 306
remonstrance of 259
Hays, S. H., petition of 147
Hazlerigg, James G., act for benefit of administrator and heirs of 185, 254, 302, 408, 554
Hazlerigg, John W., act for his benefit 291
Hazlewood, Henry C., act for benefit of widow and heirs of 146, 168, 347
Helm, Thomas J., elected Clerk 24
thanks of House returned to 544
Hemp, Water Rotted, resolution in relation to 207, 232, 270
Henderson Cemetery Company, act to incorporate the 78, 163, 185, 257, 287, 348
Henderson county—see Election Precincts.
—see Sheriffs.
petition of citizens of 251
Henderson Odd Fellows Hall Company, a bill to incorporate the 216, 241, 313, 334, 446
Henderson—see Towns.

Hendrix, S., petition of 181
Hendricks, William B., petition of 317
Henry and Trimble Turnpike—see Turnpikes.
Henry county, petition of citizens of 140, 151
—see Election Precincts.
—see Sheriffs.
Henry, Gano, petition of 409
Herndon, Joel, petition of 74, 94
Herndon, John C., nominated for Assistant Clerk 27
votes for 27, 28
elected 29
thanks of House returned to 544
Herreford, James, a bill for his benefit 67, 75, 117, 143, 162
Hiatt, Asa and Elizabeth, act for benefit of 120, 163, 171, 231, 269
Hicklin, Lucinda, a bill to divorce 128, 151, 156, 177
petition of 55
Hickman county, petition of citizens of 82
remonstrance of citizens of 82
Hillman, N. Y., act for his benefit 197, 280
Hindman, Lydia, a bill for benefit of 77, 300, 407, 501, 548
Hobday, Colton, a bill to divorce 502, 521, 545, 551
Hobdy, C., petition of 258
Hodges, A. G. & Co., nominated for Public Printers 175
votes for 175
joint votes for 176
elected Public Printers 176
Hogan, Samuel, a bill for the benefit of 50, 128, 146, 168, 270, 296, 336, 553
act for his benefit 146, 157, 177, 178
Holding, Rebecca E., petition of 181
Honaker, Thomas D., petition of 53, 99
Hopkins Circuit Court—see Courts, Circuit.
Hopkins county—see Election Precincts.
—see Justices.
—see Sheriffs.
Hopkins Delta, act declaring a public authorized newspaper, 203, 255, 303, 336, 553,
Hopkins, Elizabeth, act for benefit of 133, 167, 504, 530, 558
Hopkins, Geo. W., petition of 223
Hopkinsville Fire, Life and Marine Insurance Company—see Insurance Company.
Hopkinsville—see Towns.
Horn, Mathew, petition of 252
Hostetter, Aaron, petition of 166
a bill for his benefit 275, 285, 286, 307
Hounshell, Hiram, petition of 258
House of worship in Hardin, act to sell 193, 255
Howard, Joseph, act for benefit of 146, 168, 443, 463, 556
Hubbard, Moses, act for benefit of, and wife 419, 465, 499, 556
Hudnall, Mary, act for benefit of 114, 146, 257, 287, 349
petition of 52

Huffman, Michael L., a bill for his benefit 121
Hughes, Willis G., nominated for Speaker 5
votes for 5, 6, 7, 8, 9, 10
withdrawn from nomination 11
Humphreys, Isabel T., an act to divorce 73, 78, 113, 132, 158, 180
Huston, Mark E., nominated for Speaker 23
votes for 23
Hustonville Uniform Company, act for benefit of 260, 337, 430, 555
Hutcherson, James, a bill for benefit of widow and heirs of 441, 496, 535, 550
Hutchinson, Elizabeth, petition of 409
Importation of slaves, a bill to modify and amend the law of 1833, prohibiting the 49, 59, 75, 149, 206, 211, 214, 222, 224, 263, 272, 330, 339, 395, 429, 546
a bill to repeal the law of 1833, prohibiting the 149
a bill for benefit of those who have violated the law of 1833, prohibiting the 449, 468, 505, 559
Institute for Education of Blind, report of 252
—see Legislative Documents.
Calloway, act to incorporate the Female 243, 256, 395, 451, 556
Kentucky Military, act to amend charter of 460, 465, 466, 505, 557
South Kentucky, a bill to incorporate the 236, 293, 407, 462, 547
Institution, Louisville Savings, an act to release the, from certain taxes 83, 89, 205, 232, 271
Nicholas Savings, act to charter the 317, 339, 499, 556
Versailles Savings, act to amend charter of 317, 339, 499, 556
Institutions, Masonic in Louisville, a bill to incorporate the 244, 397, 501, 541, 550
Insurance Company, Franklin Fire, Life and Marine of Louisville, a bill amending charter 292
Hopkinsville Fire, Life and Marine, charter 347, 463, 547
Jefferson, a bill incorporating the 216, 397, 501, 541, 549
Kentucky, act to amend charter of 185, 254, 342, 348, 451, 556
Louisville Merchants', act to incorporate 258, 294, 427, 500, 549
Louisville Marine and Life, to amend charter 165, 169, 348, 430, 555
Louisville and Kentucky Mutual, annual report of the 44
a bill to amend charter of 109, 183, 270, 428, 447
Internal Improvement, Board of, annual report of 63
—see Legislative Documents.
—see Board of Internal Improvement.

Internal Improvement, committee on, appointed 70
instructed 76, 104, 155, 162
Irvine Seminary—see Seminary.
Irvine—see Towns.
Isenburg, Aaron, petition of 73, 184

Jackson, Jarvis, petition of 276
Jackson, Wm. G., act for benefit of 244
Jackson, Wm. H., act to divorce 189, 226, 288, 349
petition of 127
Jailer of Ballard county, act for benefit of 397, 496, 535, 551
of Harrison, act for benefit of the 301, 336, 553
James, David, petition of, and others 43
Janes, John, act for his benefit, and others 124, 146, 157, 177, 178
petition of 61
Jefferson and Brownsboro' Turnpike—see Turnpikes.
Jefferson county, petition of citizens of 43, 110, 223, 251, 298, 315
remonstrance of citizens of 110, 223
Jefferson county—see Justices.
Jester, Eli, petition of 166
act to divorce, and Catharine A. Jester 441, 496, 535, 550
Johnson County Court—see Courts, County.
Johnson county, petition of citizens of 278, 286
Johnson, Darwin, a bill for benefit of 94, 126, 157, 177, 451, 495, 534, 551
Johnson, Edward P. and Henry, petition of 53
Johnson, Frederick, nominated for Speaker 19
votes for 20, 21
withdrawn 21
Johnson, Mary F., petition of 207
act to divorce 503, 529, 558
Johnson, Richard M., nominated for Senator 221
votes for 222
joint votes for 222
Johnston, William, act to change name of, and others 79, 89, 119, 147
Jones, Anderson D., petition of 203
Jones, Elisha, petition of 154, 451
a bill for his benefit 300, 407, 429, 447
Jones, Harvey, petition of, and others 53, 112
Jones, Isham, a bill for his benefit 245, 293, 427, 499, 548
Jones, J. L., a bill for benefit of, and John Adams 213, 275, 334, 446
Jones, John, petition of 298
Jones, Matthew G., nominated for Assistant Clerk 27
votes for 28
withdrawn 28
Jones, P. F., petition of 207, 396
Jones, Thomas J., petition of 186
Jones, Walter, act to divorce, and wife 117, 167, 504, 529, 558
Jones, Warren H., act for benefit of 294, 427, 500, 549
petition of 227
Judge of the 16th Judicial District, act to allow further time to move into district 215, 255, 303, 336, 553

Judicial Districts—see Districts, Judicial.
Judiciary, committee on appointed 69, 70
instructed 47, 68, 122, 123, 156, 212, 244
Judy, John, a bill to repeal act for his benefit 205, 259, 287, 307
Jurors, before Justices, a bill to pay 48, 160, 201
Jurymen, a bill better to secure the rights of 47
Justices of the Peace, a bill to pay jurors before 48, 159, 200
a bill to increase the jurisdiction of 49, 64, 94, 136
a bill in relation to fees of 244, 398
a bill concerning the equitable jurisdiction of 149
a bill to amend proceedings before 192, 254, 302, 337, 553
in Adair, act to allow 159, 200, 226, 287, 349
in Ballard, petition of 258
in Carter, a bill to allow 122, 183, 206, 231, 269
in Clinton, a bill to allow additional 48, 64, 79, 111, 120
in Cumberland, a bill to allow 48, 64, 79, 111, 120
in Greeenup, a bill to allow 292, 330, 427, 462, 547
in Hopkins, an act to allow 428, 466, 505, 558
in Jefferson, a bill to allow 347, 428, 463, 547
in McCracken, petition of 331, 410
in Muhlenburg, act to allow 120, 163, 171, 231, 269
in Pike, act to allow 99, 132, 157, 177, 178
in Spencer, a bill to allow 331, 427, 463, 547

Kalfus, S. N., petition of, and others 252
Kash, Caleb, act for benefit of, &c. 114, 139, 156, 177, 178
Kash, Caleb, petition of 62
Keeper of the Penitentiary, annual report of 57
—see Legislative Documents.
resolution for a settlement with 297, 420, 451, 559
Keepers of Coffee Houses, &c., act taxing 236, 502, 528, 546, 552
Keepers of toll gates, act authorizing to swear others 243, 256, 508, 529, 559
Keiningham, Richard, act for benefit of, &c. 419, 465, 505, 557
Kennedy, Washington, an act for benefit of children of 185, 254, 304, 329, 336, 553

Kenton Circuit Court—see Courts, Circuit.
Kenton county, act concerning surveys of roads in 541, 549
Kenton county, a bill to take vote of people of, as to the removal of county seat 197, 274
petition of citizens of 298
Kentucky and Tennessee line, preamble and resolutions in relation to 535, 536, 543, 546, 552
Kentucky Military Institue—see Institute.
Kentucky River, a bill to extend the slackwater navigation of the 109
Kentucky River navigation, a bill to improve the 58
Key, Marshall, petition of 73, 94, 94

King, George W., petition of 166
a bill for his benefit 331, 495, 546, 552
Kinnicanick, a bill to build a mill dam across 244, 294, 496, 541, 549
Kinnicanick Bridge Company—see Bridge Company.
Klete, A. G., petition of 299
Knox, David, a bill for his benefit 196
Labarthe, Julius A., act for change of venue to 183, 214, 231, 270
petition of 102
Lagrange, a bill to repeal act prohibiting the sale of liquors in, &c. 136, 167, 279, 336, 552
Lagrange—see Towns.
Lancaster and Crab Orchard Turnpike—see Turnpikes.
Lancaster—see Towns.
Land Office Warrants, an act to extend time of surveying and returning 117, 167, 205, 232, 271
Lands, an act to amend act for condemning 185, 254, 303, 409, 554
Lands forfeited for taxes, act to extend time to redeem 292
Lands, vacant in Butler, act to apply proceeds of 292
vacant in Floyd, act to apply proceeds of, &c. 292
vacant in Whitley, act concerning 216, 295, 427, 500, 549
Landy, Nancy, an act to divorce 102, 105, 188, 232, 314
Lane, Rufus, act for his benefit 313, 339, 522, 529, 559
Langford, Robert, act to divorce 227, 256, 504, 530, 558
Lapsed legacies, a bill to amend the law relative to 293
Larue county, petition of citizens of 52, 227, 251, 276, 543
act authorizing to use jail of Hardin 67, 163, 171, 231, 270
Larue county—see Election Precincts.
—see Constables.
Larue county Turnpike—see Turnpikes.
Latham, John C., petition of 251
Lathenwell, James, petition of 181
Laurel County Court—see Courts, County.
Laurel county, petition of citizens of 74, 186
Laurel county—see Election Precincts.
Lawrence, Mr., use of hall terdered to 299
Law, Road, in Boone, act to amend the 285, 338, 429, 555
in Campbell, a bill to amend, 121, 218, 305, 335, 445
in Jefferson, a bill to amend the 160
in Pendleton, act to amend the 59, 64, 90, 111, 120
in Trimble, a bill to amend 51, 60, 93, 110
Laws, Criminal, a bill to amend the 124, 152, 160
Evidence, a bill to amend the 67, 124, 149
Execution, a bill to amend the 149
Militia, a bill to amend the 252, 426, 500, 548
Militia, a bill to distribute surplus copies of the 254
Penal, a bill to amend the 59, 428, 466, 499, 557
Penal, in relation to gambling, a bill to amend the 270, 337
Revenue, a bill to amend the 153, 184
Statute, a bill to revise the 59

Leavy, Mrs., a bill for benefit of, and children 307, 427, 462, 547
Lebanon, New Market and Springfield Turnpike—see Turnpikes.
Lee, Elisha W., petition of 54
Leesburg Light Artillery Company, act for benefit of 260, 260, 337, 429, 555
Leesburg—see Towns.
Levings, Elisa, petition of 215
Lewis, Alfred, petition of 419
Lewis County Court—see Courts, County.
Lewis county, petition of citizens of 53
Lewis, Elizabeth, a bill for the benefit of 204, 330, 428, 447
petition of 154
Lewis, George W., petition of 52, 300, 451
Lewis, Robert G., appeared and took his seat 50
Lexington and Frankfort Railroad—see Railroad.
Lexington and Frankfort Turnpike—see Turnpikes.
Lexington and Newton Turnpike—see Turnpikes.
Lexington Atlas, act to declare a public newspaper 126, 167, 183, 193
Lexington, a bill concerning the election of certain municipal officers in 144, 158, 180, 183, 195
Lexington, petition of citizens of 111
Lexington—see Towns.
Lexington, Harrodsburg and Perryville Turnpike—see Turnpikes.
Library, committee on, appointed 72
Licenses, tavern, act concerning 313, 339, 507, 530, 558
Licking river, a bill for an appropriation to 121
a bill to improve the 160, 200
a bill for protection of public property on 124, 419, 496, 535, 550
Licking Steamboat Navigation Company, act to incorporate the 395, 465, 498, 556
Lighter, Abraham, act to divorce 502, 521, 540, 545, 551
petition of 111
Lillard, Thomas, a bill for the benefit of 48, 55, 86, 117, 143, 162
Limited partnerships, act authorizing 317, 339, 503
Lincoln County Court—see Courts, County.
Lincoln county, petition of citizens of 54, 74
Lincoln county—see Sheriffs.
Lincoln Lodge, No. 60, petition of 298
Lines between certain counties, act to mark 464, 466, 530, 559
Livermore, Alonzo, act for benefit of 243, 256, 302, 337, 553
Livingston county—see Election Precincts.
Locke, John D., act for benefit of children of 151, 168, 325
Locks and dams and roads, a bill to complete the 211
Lodge No. 138, of Ancient York Masons, act for benefit of 227, 256, 303, 408, 554
Logan Circuit Court—see Courts, Circuit.
Logan County Court—see Courts, County.
Logan county, petition of citizens of 451
—see Election Precincts.

Logan, David, petition of 147
act for benefit of, and his children 398, 501, 542, 551
Logan, Matthew, act for benefit of 297, 338
Logan, Todd and Christian Turnpike—see Turnpikes.
Lorispaugh, Sarah, petition of 43
a bill to divorce 189, 304, 335, 447
Louisa—see Towns.
Louisville, a bill to amend the charter of the city of 197, 280, 397, 426, 500, 547
petition of citizens of 102, 172, 179, 203, 211, 227
petition of Mayor and Council of 151, 223, 286
Louisville and Frankfort Railroad—see Railroad.
Louisville and Taylorsville Turnpike—see Turnpikes.
Louisville Chronicle, act to declare a public newspaper 126, 167, 183, 193
Louisville Orphans' Home Society, a bill to incorporate the 294, 427, 499, 548
Louisville Turnpike—see Turnpikes.
Lower Cloverport—see Towns.
Lowe, Richard, a bill for the benefit of heirs of 48, 126, 167, 182, 193, 288
Lucas, Squire, leave of absence granted to 286
Lunatic Asylum, annual report of the Directors of the 159
—see Legislative Documents.
resolution to appoint committee to examine 61, 79, 83, 112, 120
committee to examine appointed 112
report of committee on 525
act providing for settlement of the accounts of the, at Lexington 502, 528, 533, 535, 540, 551
Second Kentucky, report of Commissioners of the 141, 141, 194
—see Legislative Documents.
a bill further to provide for the erection of the 162, 285, 285, 338, 457, 505, 557
Lutes, Henry M., act for his benefit 449, 466, 504, 557
Lutz, John, petition of 347
Lynch, Jesse, petition of 54

Maberry, Frederick, a bill for his benefit 160, 280, 426 499, 548
Madison and Wilderness Turnpike—see Turnpikes.
Madison county, petition of citizens of 314
—see Election Precincts.
—see Magistrates' Courts.
Madison county Turnpikes—see Turnpikes.
Magistrates' Courts, in Madison county, act to change the times of holding the 73, 78, 93, 110
in Barren, act to change time of 79, 89, 119, 147
Magruder, Josiah H., leave of absence granted to 116
Malcom, Rev. H., use of Hall granted to 116
Mardis, Roley, an act for benefit of 215, 255, 269, 285
Marion county, petition of citizens 251, 276, 543
Marion—see Towns.

Married women, a bill to protect the rights of 48, 55, 93, 122, 129
act concerning conveyances by 192, 255, 405, 429, 555
Marsee, James, petition of 179
a bill for his benefit 201
Marshall Circuit Court—see Courts, Circuit.
Marshall County Court—see Courts, County.
Marshall, John B., a bill for his benefit 292, 330, 495, 534, 550
Marshal of the Louisville City Court, a bill to extend the powers of the 197, 541, 550
of Paducah, act for benefit of 427, 500, 549
of Louisville, a bill to extend his powers 307, 428, 464
Martin, J. M., a bill for the benefit of 206, 307, 427, 500, 547
Mason County Court—see Courts, County.
Mason county, petition of citizens of 102
—see Election Precincts
Mansonic Fraternity in Stanford, act to incorporate 532, 540, 556, 551
Mason, John C., appeared and took his seat 117
Mathews, C. M., a bill for benefit of 398, 508, 540, 545, 551
Maxey, Radford J., act for his benefit 215, 255, 303, 408, 554
Mayfield—see Towns.
May, James, act granting change of venue to 428, 466, 505, 558
Maysville and Bracken Turnpike—see Turnpikes.
Maysville and Germantown Turnpike—see Turnpikes.
Maysville and Lewis county Turnpike—see Turnpikes.
Maysville and Mountsterling Turnpike—see Turnpikes.
Maysville Bank—see Bank.
Maysville Cemetry—see Cemetry.
Maysville Gas Light Company, act to incorporate 165, 169, 348, 429, 555
Maysville Linen Company—act to charter 160, 201, 227, 257, 286, 308
Maysville Manufacturing Company act to amend the charter of 320, 397, 449, 462, 547
Maysville, petition of City Council of 223
—see Towns.
McCarty, Reuben, a bill for his benefit 216, 307, 407, 429, 447
McClure, Edward, a bill for his benefit 58, 84, 125, 206
McCoy, Cornelius, an act to divorce 115
McCoy, William, act for benefit of 99, 126, 157, 177
petition of, and others 43
McCracken County Court—see Courts, County.
McCracken county, petition of citizens of 315
a bill for benefit of 440, 496, 546, 552
McDonald, Jane and Darling, act to divorce 503, 529, 558
McDonald, Jane, act to divorce 317, 339
McDonel, Darling, petition of 207
McMenzie, John, petition of 140
a bill to divorce 502, 508, 542, 549
McKinney, David, petition of 111, 184
McKinney, George H., nominated for Assistant Clerk 27
votes for 27, 29
McKinney, George W., petition of 110
act for his benefit 110, 189, 226, 288, 349
McMarian, W. B., petition of 286

McNary, Hugh W., act for benefit of 185, 254, 279, 336, 553
McWilliams, Mary, petition of 276, 533
Meara, Susan, petition of 203
Meade county, petition of bar of, and citizens of 207
petition of citizens of 43, 110, 315, 396
—see Sheriffs.
Mechanics of Covington, act for benefit of 201, 259, 286, 308
of Estill, a bill for benefit of 49, 241, 313, 335 445
of Garrard and Laurel, a bill for benefit of 245, 397, 508, 540, 545, 551
of Nicholas, a bill for the benefit of 58, 245, 295, 427, 463, 547
of Owsley, a bill for benefit of 49, 241, 313, 335, 445
of Union, a bill for benefit of 48, 124, 146, 156, 177
of Louisville, a bill to amend act for benefit of 397, 501, 535, 550
of Newport, act for benefit of 201, 259, 286, 308
Meeks, Isaac, act for benefit of 534 549
Members of the Legislature, a bill prescribing the mode of paying 48, 64, 104,
Menser, R. D., act to divorce 508, 545, 552
Menzies, John W., appeared and took his seat 172
added to committee on Federal Relations 189
Mercer county, petition of citizens of 409
Mercer county—see Election Precincts.
Merida, Malinda, petition of 317
Merritt, Mrs. ——, petition of 276
Merritt, Richard, petition of 53, 112
Merritt, W. W., act for his benefit, 114, 146, 152, 157, 177
petition of 52, 99
Mershon, Laugrado, petition of 211
Metcalfe, Hon. Thomas, nominated for U. S. Senator 50
votes for 51
joint votes for 51
elected 51
Methodist Church—see Church.
Middle and Beaver Creeks, a bill to improve their navigation 330, 496, 534, 550
Middleton, Jordon, act for benefit of, &c. 244, 294, 427, 463, 547
Middletown—see Towns.
Midway and Versailles Turnpike—see Turnpikes.
Military Affairs, committee on, appointed 71
instructed 147, 162
Military Monument, report of committee on the 182
—see Legislative Documents.
a bill supplemental to act to erect 209, 261, 296, 334, 446
Militia men, a bill to regulate giving notices to 121
Militia system, a bill to abolish the 48
a bill to reduce all laws relating to, into one 159, 200
Mill Dams, an act concerning, &c. 215, 256, 348, 406, 410
Miller, Armstead, act for benefit of 422

Miller, C. P. and Elizabeth, act for benefit of 114, 146, 156, 177
petition of 52, 103
Miller, W. N., a bill for benefit of administrator of 259, 294, 427, 500, 549
petition of administrator 259
Millersburg and Cynthiana Turnpike—see Turnpikes.
Mills, Barsheba, a bill to change name of 58, 63, 79, 111, 120
Mills, John Y., petition of 252
Milton—see Towns.
Miltonville—see Towns.
Ministers of the Gospel, resolution inviting the, to open House with prayer 30
thanks of House returned to the 545
Missemore, George H., petition of 61
Money, act for the appropriation of 421, 422, 423, 424, 460, 461, 464, 530, 531, 532, 538, 546, 552
Monodelphian Society of Industrial Education, a bill to charter the 347, 495, 535, 550
Montgomery county, petition of citizens of 223, 251, 533
Montgomery, John, petition of 344
Monticello—see Towns.
Monroe county—see Sheriffs.
Moody, James, act for benefit of 88, 139, 157, 177, 178
Moody, James, petition of 53, 112
Moody, John M., petition of 207
Moore, Benjamin, petition of 314
Moore, David D., act for benefit of 67, 113, 139, 156, 177
Moore, Joshua, petition of 223
Moore, Susannah, a bill to divorce, and others 502
Morgan Circuit Court—see Courts, Circuit.
Morgan county, petition of citizens of 147, 193, 278, 286, 396
Morganfield—see Towns.
Morgan, Narcissa Amanda and Abell, a bill for benefit of 291, 397, 501, 552
Morgantown—see Towns.
Morris, John, petition of 166, 300, 300
act for his benefit 428, 466, 522
Morrison, Garvin, act for his benefit 185, 254, 303, 336, 553
Mount Tabor Church—see Church.
Mount Washingthn—see Towns.
Mortonsville—see towns.
Muhlenburg County Court—see Courts, County.
Muhlenburg county, petition of citizens of 82, 102, 166
Muhlenburg county—see Justices.
Mullins, W. B., petition of 208
Munson, Isaac and wife, act for their benefit 314, 339
Murphy, Nancy, act to divorce 129, 171, 231, 308
petition of 54

National salutes, resolutions to fire 65, 65, 77, 80, 98
Neely, Hezekiah F., act to divorce 79, 89, 127, 158, 180

Nelson county, petition of citizens of 212, 251, 251, 276, 543
Nelson, James O., petition of 52
a bill to divorce 128, 146, 156, 177, 178
New Liberty and Marion Turnpike—see Turnpikes.
New Liberty—see Towns.
New Castle—see Towns.
Newell, Hugh, leave of absence granted to 181
Newport—see Towns.
Newtown and Leesburg Turnpike—see Turnpikes.
Nicholas Circuit Court—see Courts, Circuit.
Nicholas county, petition of citizens of 223, 277, 533
Nicholasville and Jessamine County Turnpike—see Turnpikes.
Nicholasville—see Towns.
Noe, Allen T., nominated for Speaker 15
votes for 16, 17, 17, 18, 19
withdrawn 19
Non-resident witnesses, a bill prescribing mode of taking depositions of 59, 64, 93, 165
Norris, Alfred, petition of 74, 104
Norris, Susannah, act to divorce 521, 545, 551
Norris, Susan, petition of 276
North Benson Baptist Church, petition of 133
—see Church.
Norton, William, petition of 203

Oatts, Joshua, petition of 215
Officers, Executive, act to record bonds of 315
Offices, Executive, act in relation to the 154, 169, 299, 299, 329, 329, 335
Ohio, petition of citizens of State of 127
Oldham county, remonstrance of citizens of 207, 223, 251
petition of citizens of 215, 215, 223, 298
—see Election Precincts and Sheriffs.
O'Reiley, Minerva, petition of 52, 103
a bill to divorce 103, 114, 146, 257, 287, 349
Orphans' Home Society of Louisville, act to charter the 294, 427, 499, 548
Osborn, McHenry, petition of 83
Owen county—see Sheriffs.
Owen Lodge and Owen Chapter, act to incorporate 207, 255, 303, 408 554
Owens, Martin H., petition of 151
Owens, William L., act for his benefit 146, 168, 444, 495, 499, 557
Owenton and Clay Lick Turnpike—see Turnpikes.
Owenton and Kentucky River Turnpike—see Turnpikes.
Owenton and Rossville Turnpike—see Turnpikes.
Owenton—see Towns.
Owingsville and Sharpsburg Turnpike—see Turnpikes.
Owsley county, petition of citizens of 181
memorial of citizens of 276

Paducah—see Towns.

Page, Gwynn, nominated for Speaker 18
votes for 18, 19, 19, 20, 21, 22, 23
elected Speaker 23
thanks of House returned to 543
Parker, Martin V., act for his benefit 532, 540, 545, 551
Parkinson, Abraham, petition of 317
Paris and Cynthiana Turnpike—see Turnpikes.
Paris and Flat Rock Turnpike—see Turnpikes.
Paris and North Middletown Turnpike—see Turnpikes.
Paris, Winchester and Kentucky River Turnpike—see Turnpikes.
Partnerships, limited, act authorizing 317, 339
Pates, John R., petition of 102
a bill to divorce 205, 305, 343, 428, 447
Pates, Mary, petition of 102
Patterson, William S., act for benefit of 314, 339, 507, 529, 559
Pattison, John, a bill for the benefit of 245
Payne, Thomas, a bill for benefit of children of 49, 55, 82, 111, 119
Pedlers, act to amend laws relating to 205, 232, 271
Pelouze, Edward, a bill to divorce 205, 304, 335, 447
petition of 140
Pendleton Circuit Court—see Courts, Circuit.
Pendleton County Court—see Courts, County.
Pendleton county—see Sheriffs.
Penitentiary, annual report of the Keeper of the 57
—see Legislative Documents.
committee on, appointed 71
report of committee on 261
annual report of the Visitors of the 92
—see Legislative Documents.
Penny, James, bill for benefit of 245, 293, 426, 499, 548
Perry and Breathitt counties, a bill to change line between 441
Perry county—see Election Precincts.
Petersburg and Burlington Turnpike—see Turnpikes.
Peyton, Brizalla, act divorcing 227, 256, 411, 430, 555
Phelps, Thomas, petition of 207
Phelps, John B., a bill for benefit of 347, 428, 463, 547
Phipps, Polly Ann, act to change name of to Lynch 88, 101, 143, 162
Physicians, Boards of, a bill to establish 161
a bill to take depositions of 159, 307
Pickering, William, memorial of 43
Pike County Court—see Courts, County.
Pike county, petition of citizens of 52, 54, 286
—see Justices.
Pindell, Richard, nominated Director of Lunatic Asylum 177
unanimously elected 177
Pirtle, David, act for his benefit 146, 168, 504, 529, 558
Pistol gallaries, act to suppress 297, 338
Pitman, John, act for benefit of 201, 259, 287, 307
petition of 186
Plank, Hannah, an act to divorce 171, 254, 505, 530, 558
Pond Draining Company of Union county, act to incorporate the 30, 102

Pond River, act to repeal act declaring navigable 218, 275, 334, 446
Pope, Hamilton, nominated for Speaker 11
votes for 11, 12, 13, 14, 15, 16, 16
withdrawn 18
Poplar Plains—see Towns.
Portland, petition of citizens of 55
Portland—see Towns.
Potter, John M., petition of 419
Powell, Lazarus W., nominated for U. S. Senator 50
votes for 51
joint votes for 51
Prather, William, petition of 147
Precincts, Election, acts concerning, &c., in the following counties, viz:
Allen 159, 200, 226, 287, 349
Breckinridge 408, 465, 504, 557
Bullitt 293, 407, 500, 548
Butler 121, 163, 192, 231, 269
Calloway 293, 407, 500, 548
Campbell 120, 121, 144, 165, 257, 287, 307
Casey 118, 167, 182, 193
Clarke 67, 294, 407, 500, 548
Clay 120, 121, 144, 165, 257, 287, 307, 449, 467, 467
Fleming 120, 121, 144, 165, 257, 287, 307
Floyd 59, 63, 82, 112, 120
Garrard 48, 105, 126, 257, 286, 307
Greenup 48, 105, 126, 257, 286, 307
Hardin 227, 256
Hart 407, 500, 548
Henderson 407, 500, 548
Henry 237, 294, 495
Hopkins 105, 126, 257, 286, 307
Knox 227, 256, 300, 336, 553
Laurel 300, 407, 548
Larue 105, 126, 160, 257, 286, 300, 307, 407
Livingston 48, 105, 126, 257, 286, 307
Logan 271, 340, 448, 495, 557
Madison 120, 121, 144, 165, 257, 287, 307
Mason 197, 325, 407, 429, 447
Mercer 105, 126, 257, 286, 307
Oldham 343, 449, 500, 548
Perry 120, 121, 144, 165, 257, 287, 307
Pulaski 163, 192, 231, 269, 335, 445
Rockcastle 227, 256, 300, 336, 553
Shelby 449, 467
Taylor 105, 126, 160, 257, 286, 300, 307, 407, 548
Warren 48, 56, 73, 80, 98
Wayne 102, 106, 117, 158, 180
Presbyterian Church—see Church.
Price, James and Hannah, act to divorce 460, 466, 505, 558
Price, John L., act for benefit of 146, 168, 270, 296, 336, 553
Priest, John, petition of, and others 43

Princeton—see Towns.
Private passways in Pike county, act in relation to 122, 163, 202, 232, 269
Privileges and Elections, committee on appointed 69
report of committee on 318
Propositions and Grievances, committee on appointed 69
instructed 280
Pruett, John W., nominated for Doorkeeper 24, 25
votes for 24, 26
withdrawn 25
Public offices, committee on appointed 72
report of committee on 532
—for report see Legislative Documents.
Public Printing, committee on appointed 72
Public property on Licking river, a bill to protect the 59
Pulaski County Court—see Courts, County.
Pulaski county, act for benefit of school districts in 297, 338
petition of citizens of 54, 211, 278, 410
—see Election Precincts

Radford, S., act for benefit of, &c. 241
Railroad Company, Lexington and Frankfort, memorial of the 73
a bill amending charter of the 67, 75, 227, 256, 299, 464, 499, 522, 557
Grayson and Catlettsburg, a bill incorporating the 109, 213, 275, 334, 446
Lexington and Big Sandy, a bill incorporating the 196
Licking and Lexington, a bill to amend charter of 197, 331, 495, 541, 549
Louisville and Frankfort, act amending charter 192, 255, 330, 397, 430, 496, 534, 550, 555
Mt. Sterling and Red River, act to charter the 152, 163, 202, 231, 269
Railroad routes, a bill for the survey of 58, 60, 75
Rake, John D., act for benefit of 297, 338
petition of 133, 300
Ramsey, Daniel, petition of 211
a bill to divorce 502, 521, 541, 550
Ratliff, William, act for benefit of 244, 292, 294, 427, 463, 547
petition of, and others 43
Rankin, Thomas, act for his benefit 203, 255, 301, 336, 553
Rankin, William, act to divorce 227, 256, 411, 430, 555
Ray, Edward and Margaret, petition of 127
Ray, Samuel, act for benefit of 61, 65, 93, 110
Reed, Stark H., petition of 203
Reeve, David H., petition of 344
Reid, Walker, petition of 410
Religion, committee on appointed 70
instructed 66, 80

Religious Worship, petitions in relation to further protection of 43, 43, 43, 181
a bill to protect 183
Renfro, James, a bill for his benefit 216, 241
Renfro, Mahuldah, petition of 151
a bill to divorce 502, 521, 545, 551
Renfro, S., bill for benefit of, and others 302, 304, 316, 407, 501, 548
Resolutions, calling on Board Internal Improvement for information 56, 57, 76, 117, 119, 246, 288
calling on Auditor for information 198, 200
in relation to good feeling among the members of House 545
in relation to electing all officers by the people 289
in relation to instructing Convention, &c. 293
in relation to reception of Gen. Taylor, &c. &c. 313
in relation to removal of seat of Government 505, 506
inviting former members to seats in hall 50
instructing committee on Claims 344
instructing committee on Education 46, 57, 58, 156, 198
instructing committee on Internal Improvement 76, 104, 155, 162
instructing committee on Judiciary 47, 68, 122, 123, 156, 198
instructing committee on Military Affairs 147, 162
instructing committee on Propositions and Grievances 280
instructing committee on Religion 66, 80
instructing committee on Ways and Means 117, 198, 199, 200, 235, 244, 291
to call the counties on Saturday, each week 109, 306
to meet at 9 o'clock 154, 235
to do less speaking and more acting 242
requesting members to furnish names of School Commissioners to Superintendent of Public Instruction 200
to meet at 9½ o'clock 244
to meet at 7 o'clock, P. M., to call counties 430
to call counties 448, 449
Resolutions, joint, concerning Falls of Cumberland river 540
concerning committee on Banks 118, 133, 183, 203
confirming report of Commissioners on line between Kentucky and Tennessee 535, 536, 543
fixing day to elect Senator in Congress 46, 46, 90, 106, 183
fixing day to elect Public Officers 126, 171, 172, 330, 331
fixing day to adjourn 61, 182, 317, 325, 346, 425, 497, 498, 508, 537
for firing national salutes 65, 65, 77, 80, 98
in relation to General Education 419
in relation to Internal Improvement 69
in relation to Southern States and slavery 76, 109
in relation to water rotted hemp 155
in relation to divorces 155
in relation to Emancipation and Colonization 157, 158
in relation to defalcation in Treasury 198, 199

Resolutions, joint, in relation to Wilmot Proviso 199
in relation to appropriation bill 203
in relation to settlement with Keeper of the Penitentiary 297, 420, 451, 559
in relation to funeral of Capt. W. S. Harris 178, 232, 271
in relation to map by Boner and Klyng 262, 297, 325, 551
inviting Gen. W. O. Butler 56, 102, 106, 129, 129
inviting Gen. Taylor 47, 51, 60
inviting Cols. Todd, Johnson, &c. 235
inviting officers and soldiers of late war, &c. 243, 285, 288, 308
providing for reporters of Convention 133, 171, 205, 232, 271
providing for settlement with Dudley 188, 330, 457, 499, 559
requesting Convention to submit Constitution to people 164, 185, 232, 270
to appoint committee to examine accounts of Blanton, Davidson and Skiles, &c. 237
to appoint Commissioners to settle with James Davidson, late Treasurer 198
to appoint committee of arrangements to receive Gen. Z. Taylor 207
Retailers of dry goods and groceries, act to repeal laws allowing to sell liquors 271, 337, 507
Revenue, a bill to increase the 160, 209, 244, 430, 431, 432, 436, 437, 439, 451, 454, 455, 508, 533, 538, 539, 540, 542, 543, 544, 545, 546, 552
act to amend the laws establishing a permanent 297, 338, 507, 529, 559
a bill to increase the 49, 430, 431, 432, 436, 437, 439, 451, 454, 455, 508, 546, 552
Revenue laws, a bill to amend the 48, 55, 104, 150
Reynolds, John M., leave of absence granted to 79, 187, 284
Rice, James A., petition of 211
Rice, Jonathan W., a bill for the benefit of 49, 64, 85, 117, 143, 162
Richmond, John, act to divorce 227, 256
Riddle, George W., act for benefit of 300, 407, 500, 548
petition of 140
Riddle, Joseph, a bill for the benefit of 196, 217, 441, 496, 535, 549
Riggs, Caleb F., act to divorce 126, 167, 504, 529, 558
Riggs, Samuel, petition of 276
Riley, George and Matilda, act for their benefit 330, 339, 504, 530, 558
Riley, Matilda, petition of 314
Ritchie, Wm. H., act for benefit of 133, 167, 505, 530, 558
Road Law, in Campbell, a bill to amend, 121, 218, 305, 335, 445
in Jefferson, a bill to amend the 160
in Pendleton, act to amend the 59, 64, 90, 111, 120
in Trimble, a bill to amend 51, 60, 93, 110
Roads and Locks and Dams, a bill to complete the 211
Roads in Bullitt county, a bill to change the mode of working the 49

Roads, State, Adairsville and Bowlinggreen, a bill to change the 68, 75, 101, 143, 162
from Birch Lick creek to Brashears' Salt Works, act concerning the 243, 256, 508, 529, 559
from Bowlinggreen to Greenville, act to change 236, 294, 407
in Bullitt county, a bill to regulate the 213, 275, 335, 445
from Canton to Waidsboro', act to change 280, 508, 540, 545, 551
from Columbus to Hopkinsville, act to change 395
in Christian, a bill to change 213, 316, 335, 445
in Lewis county, act to change 78, 128, 153, 232, 269
from Pembroke to Green river, act to establish 408, 465, 505, 557
Richmond, a bill to change 502, 528, 246, 552
from Stanford to Hall's Gap, a bill to change 122
in Todd, act to change 121, 163, 202, 232, 270
Roads, Turnpike, act incorporating companies to make, and amending charters of, viz:
Augusta, Cynthiana and Georgetown 419, 444, 463, 556
Bardstown and Green River 161
Big Sandy and Owingsville 202, 255, 305
Bowlinggreen and Franklin 275, 335, 446
Bowlinggreen and Tennessee Line 58, 161, 218, 259, 259, 295, 407, 500, 548
Brooksville and Rock Spring 397, 496, 545, 551
Burlington and Dry Creek 203, 255, 508, 546, 559
Burlington and Petersburg 285, 338, 443, 499, 556
Campbell and Pendleton 344, 465, 499, 557
Campbell 193, 255, 445, 495, 498, 556
Carlisle and Sharpsburg 196
Clark's Run and Salt River 192, 255, 444, 463, 556
Covington and Dry Creek 203, 255, 443, 463, 556
Covington and Lexington 292
Cynthiana and Millersburg 67, 105, 153, 258, 406, 429, 497
Danville and Perryville 330, 495, 534, 551
Dover and Minerva 211
Elizaville and Helena 251, 257, 508
Georgetown and Paris 79, 89, 128, 158, 180, 243, 256, 443, 463, 566
Georgetown and South Elkhorn 245, 295, 407, 463, 547
Georgetown and Williamstown 122
Glasgow and Scottsville 291
Goose Creek 218, 305, 343, 429, 447
Great Crossings and Stamping Ground 243, 256, 288, 314
Green and Larue County 202, 255, 347, 430, 555
Greensburg and Brownfield 202
Harrodsburg and Cane Run 122, 502, 528, 546, 552
Helena, 125, 133, 157, 178
Henry and Trimble 408, 465, 499, 556
Jefferson and Brownsborough 185, 201, 343, 429, 447

Roads, Turnpike, act incorporating companies to make, and amending charters of, viz:
Lancaster and Crab Orchard 122, 161, 201, 204, 251, 287, 331, 349, 407, 500, 547
Lebanon, New Market and Springfield 320, 451, 495, 534, 550
Lexington and Frankfort 201, 251, 287, 308
Lexington and Newtown 201, 251, 287, 349
Louisville and Taylorsville 185, 185, 201, 260, 343, 429, 447
Madison County 244, 395, 465, 505, 557
Madison and Wilderness 227, 256, 508
Maysville and Bracken 179, 408, 465
Maysville and Germantown 408, 465, 499, 557
Maysville and Lewis county 408, 465, 499, 557
Maysville and Mt. Sterling 122, 522
Midway and Versailles 344, 465, 499, 557
Millersburg and Cynthiana 67, 105, 153, 258, 406, 429, 497
New Liberty and Marion 292, 325, 495, 541, 550
Newtown and Leesburg 251, 257, 443, 499, 556
Nicholasville and Jessamine county 277, 502, 508, 541, 550
Owenton and Clay's Lick 271
Owenton and Kentucky River 271, 337, 508
Owenton and Ross Mills 285, 338, 443, 499, 556
Owingsville and Sharpsburg 240, 343, 429, 447
Paris and Cynthiana 196, 441, 496, 535, 551
Paris and Flat Rock 79, 89, 128, 139, 182, 193
Paris and North Middletown 121, 218, 275, 334, 446
Paris Winchester and Kentucky river 196, 285, 338, 408, 441, 496, 535, 551, 554
Petersburg and Burlington 285, 338, 443, 499, 556
Rough and Ready 154, 169, 217, 288, 314
Russellville and Nashville 58, 105, 212, 275, 335, 445
Shelbyville and Christiansburg 315, 330, 495, 546, 552
Springfield and Perryville 465, 530, 558
Springfield, Maxville and Harrodsburg 291, 325, 408, 554
Springfield, Perryville and Maxville 408, 465, 499, 557
Taylorsville and Mt. Washington 331, 496, 535, 550
Versailles and Kentucky river 297, 338, 430, 555
Versailles and Midway 344, 465, 499, 557
Warsaw 47, 105, 202, 286, 308
Washington and Murphysville 276, 294, 407, 462, 547
Winchester and Mt. Sterling 395, 465, 505, 557
Roads, Turnpike, a bill to establish a just principle in the rates of toll on 243, 256, 507, 529, 559
Robertson, George, nominated for Speaker 5
votes for 5, 6, 7, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15, 16, 17, 18, 18, 19, 20, 21, 22
withdrawn from nomination 23
Robertson, Julia A., petition of 82
Robinson, Elizabeth Howard, an act for her benefit 83, 89, 100, 119, 147
Robinson, Juliann, act to divorce 502, 521, 535, 550
Roberts, John, remonstrance of 259

Roberts, Moses, petition of 74
Roberts, Nancy, petition of 91, 188, 209
Rockcastle county—see Election Precincts.
Rogers, Coleman, petition of 29
Rogers, S. G., act for his benefit 120, 280, 426, 499, 548
Rolling Fork, a bill to improve the navigation of the 160
Rose, Ben. B., a bill for benefit of 410
Rose, Nancy L., petition of 211
act for benefit of 495, 541, 549
Ross, L. D., remonstrance of, and others 127
Rough and Ready Turnpike—see Turnpikes.
Rough Creek, a bill to extend slackwater navigation on 120
Rowark, Polly, petition of 425
a bill to divorce 441, 496, 541, 551
Royse, Rebecca, act for benefit of 197, 241, 296, 334, 446
Rules of House adopted 29
Runaway slaves, a bill to amend the laws in relation to 109
Russell county, act for benefit of School District No. 9, in 260, 337, 409, 555
Russell, Henry, petition of 123
Russellville and Nashville Turnpike—see Turnpikes.
Russell, Wm., petition of 203
Rutherford, John, petition of 251

Sadler, Mary P., petition of 43, 100
Sadler, Thomas T., petition of 111, 184
Salmon, Richard, act for benefit of, and children 140, 168
Salmons, Roland, act for benefit of, and children 348
Salvisa—see Towns.
Sams, Edmund, petition of 82
Saufley, C. H., act for benefit of 67, 75, 83, 112, 119
Schools, Common—see Common Schools.
School Districts, certain, a bill for the benefit of 133, 167, 212, 217, 243, 288, 305
a bill for benefit of certain 133, 167, 243, 288, 305
Scott county, petition of citizens of 154
Scott, Ellen, petition of 276
Scott, Sophia, a bill for benefit of 236, 331, 407, 421, 496
Scruggs, E. V., a bill to divorce 152, 189, 304, 335, 446
Second Auditor, annual report of the 44
—for report see Legislative Documents.
Secretary of State, communication of 85, 106
—for report see Legislative Documents.
Seminary, Allen, an act to amend charter of the 79, 89, 104, 158, 180
Flat Lick, act to incorporate the 297, 338, 430, 555
Irvine, incorporating 236, 294, 407, 462, 547
Prestonsburg, act to appoint Trustees for 236
Somerset, act for benefit of 260, 337, 409, 554
Stanford, act for benefit of 243, 256, 288, 314
Washington Female, act for benefit of 280, 407, 462, 547
Semple, Robert B., act for benefit of 133, 167

Senator in Congress, resolution fixing day to elect 46, 36, 90, 106, 169, 203
election of 50, 51
Shelby county, a bill for benefit of citizens of 292
petition of citizens of 147, 151, 192, 278
—see Constables.
—see Election Precincts.
Shelbyville and Christiansburg Turnpike—see Turnpikes.
Sheriffs, of Bourbon, a bill for his benefit 58, 63, 101, 117, 143, 162
of Campbell, act for benefit of 340, 395, 429, 556
of Casey, act for benefit of 59, 64, 90, 111, 120
of Crittenden, act for benefit of 146, 168, 260, 288, 344
of Cumberland, a bill for benefit of 49, 75, 83, 112, 119, 251, 252, 271
of Floyd, a bill for benefit of 159
of Grant, a bill for benefit of 215, 241, 251, 252, 271, 297, 338, 409, 554
of Graves, a bill for benefit of 49, 105, 126, 143, 162
of Grayson, act for benefit of 407, 501, 548
of Green, act for benefit of 61, 65, 93, 110
of Harlan, act for the benefit of the former 292
of Hart, act for his benefit 92, 99, 117, 129, 129, 245, 278, 295
of Henry, act for his benefit 331, 407, 429, 447
of Hopkins, act for benefit of 146, 168, 260, 288, 305
of Lincoln, act for benefit of 154, 169, 260, 288, 305
of Meade, act for benefit of 183, 202, 231, 269
of Monroe, act for benefit of 61, 65, 93, 110
of Oldham, a bill for his benefit 89, 124, 146, 156, 177
of Owen, a bill for his benefit 215, 241, 251, 252, 271
of Owsley, act for benefit of 67, 125, 146, 157, 177
of Pendleton, act for benefit of 59, 64, 98, 117, 143, 162
of Trigg, act for benefit of 117, 167, 182, 193
of Union, a bill for benefit of 68, 331, 407, 429, 447
Sherwood, Edward, leave of absence granted to 116, 286
Shields, Gen. James, resolution inviting to visit the Capital of the State 297, 299
Shotwell, Eden, a bill for benefit of 307, 427, 500, 547
Shotwell, John W., petition of 203
Shea, Thomas, act for his benefit 185, 254
Sibley, Elbridge G. and Ellen, act to divorce 317, 339
Silk, a bill to promote the growth and manufacture of 395, 465
Simpson county, petition of citizens of 43, 99
Simpson, Mary, a bill for the benefit of, &c. 48, 205, 259, 286, 308
Sims, William, a bill for the benefit of 48, 75, 86, 117, 143, 162
Sinking Fund, annual report of the Commissioners of the 84
—for report, see Legislative Documents.
act prescribing duties of the Board of Commissioners of the 260, 337, 509, 529, 559
committee on appointed 71
Sizemore, Anderson, petition of 179
a bill to divorce, and others 502, 521, 545, 551

Skaggs, Milly Ann, act for benefit of 294, 427, 500, 549
petition of 227
Skiles, James R., act authorizing the Board of Internal Improvement to settle accounts with 313, 315, 330, 409, 554
petition of 276
Skinner, Emeline, petition of 409
Slaves, a bill to amend act prohibiting importation of 49, 59, 75, 149, 206, 211, 214, 222, 224, 263, 272, 282, 330, 339, 395, 429, 546
a bill to repeal the law prohibiting the 149
a bill for benefit of those who have imported, contrary to law of 1833, 449, 468, 505, 559
Smith, Hickman, act for benefit of 171, 254, 443, 463, 556
Smith, John K., petition of 331
Smith, Thomas, act for benefit of 146, 168, 348
Smith, Wm., petition of 179
Smith, Wm. Preston, petition of 186
a bill to change name of, and others 201, 226, 287, 307
Sneed, Emerine, petition of 208
a bill to divorce, and others 502, 508, 545, 552
Snelling, Gilson P., act for benefit of 151, 169, 279, 336, 553
Snowden, David, act for benefit of 67, 125, 146, 157, 177
Somerset Seminary—see Seminary.
Sons of Temperance, use of Hall granted to 152
South Carrolton—see Towns.
South Frankfort—see Towns.
South Kentucky Institute—see Institute.
Sparks, James, act for benefit of 419, 465, 505, 557
Spencer county, petition of citizens of 306, 306
Spencer, David C., petition of 110
a bill to divorce 205, 304, 334, 446
Spoon, Eliza, petition of 61
Springfield and Harrodsburg Turnpike—see Turnpikes.
Springfield, and Perryville Turnpike—see Turnpikes.
Springfield, Maxville and Harrodsburg Turnpike—see Turnpikes.
Springfield, Perryville and Bethel Turnpike—see Turnpikes.
Springfield, Perryville and Maxville Turnpike—see Turnpikes.
Stringer, John, petition of 140, 300
Spurlock, Hiram K., a bill for benefit of 292
State Bonds, a bill to provide for the surrender and burning of 300, 508, 540, 546, 552
State Roads—see Roads, State.
Steed, E. S., a bill for benefit of 280, 426, 499, 548
petition of 250
Steele, Tilman and Julia A., act to divorce 128, 304, 335, 446
Stemmons, Henry G. and wife, act for their benefit 83, 89, 153, 182, 193
Stephens, Sarah A., an act to divorce 102, 105, 188, 232, 314
Stephens, Thomas L., a bill for his benefit, and others 125, 218, 305, 335, 446
Stephensport—see Towns.
Stewart, Thomas H., petition of 74, 94, 532
Stilwell, William, act for benefit of, and others 317, 339, 396, 396

Stivers, George, act for benefit of 360, 337, 409, 554
Stockton, Peter H., a bill for his benefit 159
Stockton, Robert, act for benefit of, and children 93, 117, 167, 182, 193
petition of 43
Stratton, R. T., a bill for benefit of 320, 397, 501, 546, 551
Stratton, S. D., a bill for his benefit 236, 398
Strays, act to amend laws concerning 165, 169, 303, 305, 336, 338, 503, 530, 553, 559
Street, Tilman H. and Julia Ann, petition of 43
Stringer, Nancy, petition of 277
act to divorce 521, 540, 545, 551
Strother, Nancy, act for her benefit, &c. 193, 255, 302, 409, 554
Stroud, John, petition of 54, 113
Stutteville, Charles H., act for his benefit 277, 294, 407, 501, 548
Sullivan, Abel, act for benefit of 314, 339, 409, 554
Superintendent of Public Instruction, annual report of the 65
—see Legislative Documents.
Surveys, certain, a bill to extend time of, &c. 343
Swan, Elizabeth Ellen, a bill to change name of 48, 88, 94, 125, 157, 177

Talbot, Charles, act for his benefit 275, 285, 286, 307
Talbert, Charles, petition of 186
Tandy, N. M., petition of 54, 94
Tanner, William, allowed seat in hall 47
nominated for Public Printer 175
votes for 175
joint votes for 176
Tarrant, Asebion, nominated for Librarian 176
votes for 176
joint votes for 177
Tater, David, a bill for his benefit 244
Tavern licenses, act concerning 313, 339
Taxable property, a bill to change mode of taking in lists of 67
Tax Commissioners, a bill to define the duties of 67, 127
Taxes on tavern licenses, a bill to amend the laws in relation to the collection of 200
Taylor county, petition of citizens of 43, 251, 258, 276
—see Constables.
—see Election Precincts.
Taylor, F. T., act for benefit of 271, 337
Taylor, Henry L. and Thomas C., a bill for benefit of, &c. 298
Taylor, Gen. Z., resolution inviting to visit the Capital of Kentucky, 101, 106, 119, 147
committee to receive, appointed 209, 270, 270
committee of arrangements on, visit of 259
Taylor, Mary E., petition of 166
act to divorce 441, 496, 535, 549
Taylor, Robert, petition of 204
act for his benefit 218, 275, 334, 446
Taylor, Thomas, a bill for benefit of heirs of 397, 501, 546, 552
Taylorport—see towns.

Taylorsville and Mount Washington Turnpike—see Turnpikes.
Taylorsville, petition of citizens of 42
Taylorsvillle—see Towns.
Telegraph Company, New Orleans and St. Louis, a bill to incorporate the 67, 183, 304, 335, 445
Tennessee, resolutions of the Legislature of, in relation to the State line 442
Terrell, Thomas F., appeared and took his seat 10
Terry, Robert J., act for benefit of 260, 337, 507
Tewmey, Eliza, a bill for her benefit 58
Thomas, Boone, a bill for benefit of 49, 75, 116
Thomas, F. W., use of hall granted to 81, 196
Thomas, Henry C., act for his benefit 109, 113, 139, 156, 178
Thomasson, Joel, petition of 172, 217
Thomasson, J. T., act for the benefit of the estate of 243, 356, 464, 465, 505, 557
Thompson, James G., a bill for his benefit 67, 83
Thompson, Mark, petition of 62
Thompson, William B., appeared and took his seat 10
leave of absence granted to 22, 102, 343
Theobald, Thomas S., petition of 396
Thornton, John R., act for benefit of, &c. 419, 465, 505, 557
Thorn, Nancy, petition of 43
Thrweat, William, petition of 53, 103, 120
Tindall, Thomas T., act to divorce 330, 339, 443, 463, 556
Todd county, petition of citizens of 277
Todd county—see Constable's District.
Todd, Samuel, nominated for Treasurer 172
votes for 173
joint votes for 173
withdrawn from nomination 174
Toll gates in Anderson, act to regulate 243, 256
Tomlinson, M. V., act for benefit of 271, 337
Tompkinsville—see Towns.
Towns and cities, act concerning granting tavern licenses in 313, 339, 507, 530, 558

Towns, acts, &c., concerning, viz:
Albany 258, 258, 347, 396, 396
Barbourville 49, 94, 125, 157, 177, 178, 204
Bowlinggreen 166, 186
Brooklyn 201, 396, 501, 542, 549
Burlington 245, 295, 427, 500, 549
Campbellsville 236, 298, 331, 427, 463, 547
Carlisle 133, 147, 292, 347, 428, 463, 547
Carrollton 258
Clayvillage 121, 440, 496, 501, 549
Cloverport 291
Covington 186, 186, 260, 337, 427, 500, 507, 549
Crab Orchard 410, 440, 496, 501, 549
Creelsboro 203, 246, 305, 343, 428, 547
Cynthiana 133, 167, 243, 257, 297, 336, 552

Towns, acts, &c., concerning, viz:
Danville 47, 55, 91, 91, 102, 105, 134, 135, 214
East Maysville 197, 294, 427, 462, 547
Elizabethtown 154, 307, 495, 535, 551
Frankfort 203, 255, 306, 329, 409, 554
Germantown 215, 245, 296, 334, 446
Ghent 196, 241, 313, 335, 446
Gordonsville 428, 465, 498, 556
Greensburg 227, 256, 302, 409, 554
Greenville 171, 254, 288, 334
Hamilton 139, 168, 304, 329, 408, 554
Hardinsville 207
Harrisonville 165, 169, 348, 429, 555
Harrodsburg 277, 409
Hartford 46, 62, 88, 117, 157, 178, 307, 427, 500, 549
Hawesville 245, 295, 500, 549
Henderson 59, 125, 146, 167, 177
Hopkinsville 408, 419, 465, 504, 557
Irvine 236, 294, 427, 463, 547
Lagrange 167, 216, 246, 279, 305, 334, 446, 552
Lancaster 122, 144, 159, 165, 232, 269
Louisa 151, 168, 445, 495, 499, 556
Louisville 307, 397, 397, 426, 500, 500, 541, 541, 547, 550
Lower Cloverport 331, 428, 500, 548
Marion 317, 339, 409, 555
Mayfield 140, 168, 398, 430, 555
Maysville 109, 125, 146, 177, 186, 245, 305, 335, 445
Middletown 165, 169, 306, 329, 335, 553
Milton 216, 246, 313, 335, 445
Miltonville 428, 466, 499, 556
Monticello 154, 163, 185, 232, 269
Morganfield 49, 163, 185, 231, 269
Mount Washington 207, 246, 426
New Castle 208, 398, 541, 435, 550
New Liberty 292, 325, 427, 500, 548
Newport 209, 215, 232, 255, 271, 279, 297, 336, 338, 408, 552, 554
Nicholasville 117, 167, 182, 193
Owenton 215, 255, 303, 336, 553
Oxford 317, 339, 409, 555
Paducah 159, 307, 427, 428, 466, 499, 500, 549, 557
Paintsville 292
Pikeville 292
Poplar Plains 83, 128, 151, 156, 177, 178
Portland 55, 215, 241, 418, 501, 548
Princeton 343, 256, 288, 313, 339, 344, 408, 411, 419, 554
Prestonsburg 336
Salvisa 161, 246, 313, 335, 446
South Carrolton 317, 339, 430, 455
South Frankfort 243, 257
Stephensport 77, 441, 495, 541, 551

Towns, acts, &c., concerning, viz:
Taylorport 160, 243, 257, 288, 344
Taylorsville 94, 126, 157, 160, 178, 243, 257, 288, 344
Tompkinsville 419, 465, 529, 559
Versailles 501, 521, 545, 551
Washington 179
Winchester 181, 227, 256, 279, 336, 552
Tradewater, a bill to improve the navigation of 68
Transylvania University, report of committee on 525
Treasurer, a bill to revise and amend the laws relating to the 48
a bill prescribing mode of taking bond of 507
Treasurer and Auditors, an act concerning the, &c. 276, 338, 507
Treasurer's and Auditors' offices, act for transcribing certain books in 305, 338, 507, 530, 558
Trigg county, petition of citizens of 140
Trigg county—see Sheriffs.
Trimble county, petition of citizens of 53
Trimble, Edwin, act for benefit of 146, 168, 303, 329, 343, 430, 555
Trisler, Martha, act to change name of 427, 500, 548
Tucker, James, and wife, a bill for their benefit 278, 294, 428, 469, 534, 549
Turman, James L., act for benefit of 146, 168, 270, 296, 336, 553
Turner, Henry F., act for benefit of 535, 543, 546, 559
petition of 151
Turner, Louisa, a bill for benefit of 292, 325, 428, 464, 541, 550
Turner, Owen C., act to divorce 207, 255, 443, 463, 556
Turnpike Roads, a bill to establish a just principle of tolls on 243, 256 507, 529, 559
Turnpike Roads, act incorporating companies to make, and amending charters of, viz:
Augusta, Cynthiana and Georgetown 419, 444, 463, 556
Bardstown and Green River 161
Big Sandy and Owingsville 202, 255, 305
Bowlinggreen and Franklin 275, 335, 446
Bowlinggreen and Tennessee Line 58, 161, 218, 259, 259, 295, 407, 500, 548
Brooksville and Rock Spring 397, 496, 545, 551
Burlington and Dry Creek 203, 255, 508, 546, 559
Burlington and Petersburg 285, 338, 443, 499, 556
Campbell and Pendleton 344, 465, 499, 557
Campbell 193, 255, 445, 495, 498, 556
Carlisle and Sharpsburg 196
Clark's Run and Salt River 192, 255, 444, 463, 556
Covington and Dry Creek 203, 255, 443, 463, 556
Covington and Lexington 292
Cynthiana and Millersburg 67, 105, 153, 258, 406, 429, 497
Danville and Perryville 330, 495, 534, 551
Dover and Minerva 211
Elizaville and Helena 251, 257, 508
Georgetown and Paris 79, 89, 128, 158, 180, 243, 256, 443, 463, 566

Turnpike Roads, act incorporating companies to make, and amending charters of, viz:

Georgetown and South Elkhorn 245, 295, 407, 463, 547
Georgetown and Williamstown 122
Glasgow and Scottsville 291
Goose Creek 218, 305, 343, 429, 447
Great Crossings and Stamping Ground 243, 256, 288, 314
Green and Larue County 202, 255, 347, 430, 555
Greensburg and Brownfield 202
Harrodsburg and Cane Run 122, 502, 528, 546, 552
Helena, 125, 133, 157, 178
Henry and Trimble 408, 465, 499, 556
Jefferson and Brownsborough 185, 201, 343, 429, 447
Lancaster and Crab Orchard 122, 161, 201, 204, 251, 287, 331, 349, 407, 500, 547
Lebanon, New Market and Springfield 320, 451, 495, 534, 550
Lexington and Frankfort 201, 251, 287, 308
Lexington and Newtown 201, 251, 287, 349
Louisville and Taylorsville 185, 185, 201, 260, 343, 429, 447
Madison County 244, 395, 465, 505, 557
Madison and Wilderness 227, 256, 508
Maysville and Bracken 179, 408, 465
Maysville and Germantown 408, 465, 499, 557
Maysville and Lewis county 408, 465, 499, 557
Maysville and Mt. Sterling 122, 522
Midway and Versailles 344, 465, 499, 557
Millersburg and Cynthiana 67, 105, 153, 258, 406, 429, 497
New Liberty and Marion 292, 325, 495, 541, 550
Newtown and Leesburg 251, 257, 443, 499, 556
Nicholasville and Jessamine county 277, 502, 508, 541, 550
Owenton and Clay's Lick 271
Owenton and Kentucky River 271, 337, 508
Owenton and Ross Mills 285, 338, 443, 499, 556
Owingsville and Sharpsburg 240, 343, 429, 447
Paris and Cynthiana 196, 441, 496, 535, 551
Paris and Flat Rock 79, 89, 128, 139, 182, 193
Paris and North Middletown 121, 218, 275, 334, 446
Paris Winchester and Kentucky river 196, 285, 338, 408, 441, 496, 535, 551, 554
Petersburg and Burlington 285, 338, 443, 499, 556
Rough and Ready 154, 169, 217, 288, 314
Russellville and Nashville 58, 105, 212, 275, 335, 445
Shelbyville and Christiansburg 315, 330, 495, 546, 552
Springfield and Perryville 465, 530, 558
Springfield, Maxville and Harrodsburg 291, 325, 408, 554
Springfield, Perryville and Maxville 408, 465, 499, 557
Taylorsville and Mt. Washington 331, 496, 535, 550
Versailles and Kentucky river 297, 338, 430, 555
Versailles and Midway 344, 465, 499, 557
Warsaw 47, 105, 202, 286, 308
Washington and Murphysville 276, 294, 407, 462, 547
Winchester and Mt. Sterling 395, 465, 505, 557

Tyler, Benjamin, petition of heirs of 53, 94
Tyler, Charles H., a bill for the benefit of 197
Tyler, Marcus M., nominated for Assistant Clerk 27
votes for 27, 28
Tyler, Page, petition of 129
Underwood, Warner L., nominated for Speaker 11
votes for 11, 12, 13, 14
withdrawn 14
Union County Pond Draining Company, a bill to incorporate the 30
Union county, petition of citizens of 172
—see Sheriffs.
University, Transylvania, report of committee on 525
Usrey, Louisa Jane Lafayette, act for benefit of 117, 167, 504, 529, 558
Vanarsdale, Abraham M., petition of 126
act for benefit 121, 280, 426, 499, 548
Vansickles, Jesse, petition of 110
a bill for his benefit 398, 501, 541, 549
Vottemare, Alexandre, report of, in relation to international exchanges 349, 350
Vaughn, Fielding, appeared and took his seat 10
Vaughn, John L., a bill to divorce 128 192, 258, 345, 346, 429, 447
petition of 83
Versailles and Kentucky RiverTurnpike—see Turnpikes.
Versailles and Midway Turnpike—see Turnpikes.
Versailles Savings Institution, act to amend the charter of the 317, 339 499, 556
Versailles—see Towns.
Vickers, John, appeared and took his seat 10
Wade, David and Harriet J., petition of 54
Wakefield, Stillwell H., a bill for the benefit of 48, 94, 126, 257, 287, 349
Walden, Willis, a bill for a change of venue to 236
Walker, G., petition of 419
Walker, John C., petition of 166
act for his benefit 201, 226, 287, 349
Walker, John, act for his benefit 460, 466, 505, 558
Walker, Milly, act for her benefit 236, 294, 407, 501, 548
Wallis, Nathan, act for his benefit 218, 275, 334, 446, 451
Warren county, petition of citizens of 82, 82
Warren county—see Election Precincts.
Warsaw Turnpike—see Turnpikes.
Washington and Murphysville Turnpike—see Turnpikes.
Washington county, petition of citizens 317, 425
remonstrance of 317
Water rotted hemp, resolutions in relation to 155
Watkinson, Sophia A., a bill to divorce 73, 78, 99, 119, 147
Watson, Polly, a bill for the benefit of 121, 163
Wayne county, petition of citizens of 54, 250, 278
a bill to appropriate part of the revenue of, &c. 121
Wayne county—see Election Precincts.
Ways and Means, committee on, appointed 70
instructed 117, 198, 199, 200, 235, 244, 291

Webb, William, act for his benefit 58, 113, 139, 156, 177, 178
Welch, John, petition of 103, 300
Weymouth, C. D., petition of 203
a bill for his benefit 241, 444, 496, 541, 551
Wheeler, Harriet J., a bill to divorce 54, 128, 192, 257, 287, 349
petition of 54
Whitley county, petition of citizens of 211
Whitley county—see Lands Vacant.
Whitlock, Elizabeth, petition of 133
a bill to divorce 502, 508, 545, 552
Wiatt, Elizabeth, an act to divorce 90, 105, 158, 181
Wilkins, J. C., petition of 140
Wilkinson, Elizabeth, a bill for the benefit of 73, 78, 127, 158, 180
Wilkinson, Spottswood, a bill for his benefit 160
Williams, Gilbert, petition of 102
a bill to divorce 502, 521, 545, 552
Williams, Louisa, act for her benefit 306
Williams, Malachi, act to divorce 79, 89, 127, 158, 180
Williams, Nathan A., act for benefit of 271, 337, 504, 530, 558
Williams, J. W., petition of 258
Williams, Robert, act for benefit of 496, 528, 542, 559
petition of 61
Wilson, James A., act for his benefit 297, 338, 443, 463, 556
Wilson, Margaret, act for benefit of, and others 192, 255, 443, 463, 556
Wilson, Robert, act for benefit of, &c. 114, 139, 156, 177, 178
petition of 62
Wilson, William, Sen., petition of 133
Wills, a bill to amend laws concerning the probate of 67
Wills, Spotswood, act for his benefit 344, 465, 557
Winchester and Mountsterling Turnpike—see Turnpikes.
Winchester—see Towns.
Wintersmith, Richard C., nominated for Treasurer 172
votes for 173, 174
joint votes for 173, 174
elected Treasurer 175
Woolfolk, Samuel B., act to divorce 126, 167, 460, 466, 504, 505, 529, 558, 558
Wolford, Abigail, petition of 53, 100
a bill for her benefit 100, 114, 146, 156, 177
Wood, Basil, a bill for benefit of 277, 296
Wood, Ralph F., a bill for benefit of 49, 440, 305, 335, 445
Woosley, Pheby, a bill for the benefit of, &c. 121
Wright, Ambrose R., petition of 154
a bill to divorce 441, 496, 535, 549
Wyatt, Emanuel, act for his benefit 73, 78, 88, 119, 147

Yost, Jacob, an act for his benefit 243, 256, 302, 337, 553
Young, Andrew, petition of 250
Young, Lutanus Manassus Jefferson Branch, a bill to change the name of, to Henry Young 49, 63, 79, 111, 120
Young, William, act to divorce 128, 153, 232, 308
petition of 59